BOUNDARY REVISION OF VOYAGEURS NATIONAL PARK

HEARING

BEFORE THE

SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER

OF THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

NINETY-SEVENTH CONGRESS

FIRST SESSION

ON

S. 625

A BILL TO REVISE THE BOUNDARY OF VOYAGEURS NATIONAL PARK IN THE STATE OF MINNESOTA, AND FOR OTHER PURPOSES

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BOUNDARY REVISION OF VOYAGEURS NATIONAL PARK

THURSDAY, OCTOBER 29, 1981

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:30 a.m., in room 3110, Dirksen Office Building, Hon. Malcolm Wallop, presiding.

Present: Senator Wallop.

Also present: Tony Bevinetto, professional staff member, and Thomas B. Williams, professional staff member for the minority.

OPENING STATEMENT OF HON. MALCOLM WALLOP, A U.S. SENATOR FROM THE STATE OF WYOMING

Senator WALLOP. The Subcommittee on Public Lands and Reserved Water will hear testimony today on Senator Durenberger's bill, S. 625, to revise the boundary of Voyageurs National Park in the State of Minnesota.

This legislation is the result of Senator Durenberger's good offices to resolve a longstanding dispute between sportsmen and the National Park Service involving a 1,000-acre portion of the Black Bay Area of Rainy Lake in Voyageurs National Park in Minnesota. Hunting is not permitted in national parks, and since the establishment of Voyageurs in 1975, the National Park Service has prohibited duck hunting there. The State of Minnesota and local interests have contended the Black Bay Area was not intended to be included in the park. Substantial controversy, including litigation, has occurred over the hunting and boundary issue.

In June 1979, the National Park Service and the State began negotiations to effect a possible land exchange to remove Black Bay from the park and take in State lands outside the park boundary needed for park access and development. Senator Durenberger and Congressmen Oberstar and Vento introduced legislation in the 96th Congress which would effect the agreed exchange.

We will hear testimony today until 11 a.m. Under the rules of the Senate, subcommittees may meet for 2 hours after the Senate has convened. They may meet later by unanimous consent. Consent was not given for us to meet later than 11 a.m.

I assure the witnesses that their written statements will be included in full in the hearing record. I thank my distinguished colleagues in the Senate and the House along with the other wit-

nesses for agreeing to start the hearing now to accommodate the rule.

I ask the witnesses to summarize their written statements. The record will remain open for 2 weeks for the submission of written testimony and additional remarks.

I will place in the record at this point the text of S. 625.

[The text of S. 625 follows:]

II

97TH CONGRESS
1ST SESSION

S. 625

To revise the boundary of Voyageurs National Park in the State of Minnesota, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 5 (legislative day, FEBRUARY 16), 1981

Mr. DURENBERGER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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A BILL

To revise the boundary of Voyageurs National Park in the State of Minnesota, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to authorize the establishment of the Voyageurs National Park in the State of Minnesota, and for other purposes", approved January 8, 1971 (84 Stat. 1971), is amended as follows:

(1) By redesignating "SEC. 102." as "SEC. 102. (a)" and inserting the following new subsection after subsection (a) of section 102:

"(b)(1) In addition to such revisions as the Secretary may make in the boundaries of the park from time to time pursuant to other provisions of law, the Secretary is specifically authorized in the manner provided in subsection (a)—

"(A) to delete approximately 782 acres in the Neil Point area of the park;

"(B) to add approximately 180 acres in the Black Bay Narrows area of the park;

"(C) to add approximately 18.45 acres owned by the State of Minnesota at the Kabetogama Forestry Station;

"(D) to add approximately 120 acres owned by the State of Minnesota, being a strip of land through that portion of section 1, township 68 north, range 20 west, fourth principal meridian, which is parallel to and 400 feet on both sides of the unimproved road extending northward from the Ash River Trail as such road crosses said section; and

"(E) to delete approximately 1,000 acres at Black Bay.

"(2) The boundary revisions specified in subparagraphs (C), (D), and (E) of paragraph (1) shall, notwithstanding anything to the contrary contained in this Act or any other law, become effective only upon (i) the tender of a conveyance to the United States, by such instrument and in such manner as

are satisfactory to the Secretary, including but not limited to lease or easement, by the State of Minnesota of the lands or interests therein described in subparagraphs (C) and (D) for purposes of the park; (ii) the establishment by the State of Minnesota of a wildlife management area in the area authorized to be deleted from the park by subparagraph (E); and (iii) agreement of the State of Minnesota, incorporated in a plan, to manage State lands riparian to Black Bay to preserve the natural character of the area so as to complement to the fullest extent possible the management of the park.

"(3) At such time as the deletion referred to in subparagraph (E) of paragraph (1) becomes effective, the Secretary is further authorized to convey to the State of Minnesota all right, title, and interest of the United States in and to property acquired for the park from the State within the area deleted pursuant to subparagraph (E).".

(2) By redesignating "SEC. 401." as "SEC. 401. (a)" and inserting the following new subsection after subsection (a) of section 401.

"(b) In addition to such sums as may have been appropriated for the acquisition of property prior to the effective date of this subsection, there is authorized to be appropriated for that purpose not to exceed $10,995,000.".

(3) The Secretary is directed to study existing road access to the park and to report to Congress on the impact of

park-related use of those roads and to report specific recommendations on improvements necessary to insure adequate road access to the park. The Secretary is directed to report within one year of the date of enactment of this section to the Committee on Interior and Insular Affairs of the House of Representatives and to the Committee on Energy and Natural Resources of the Senate.

○

Senator WALLOP. I have a statement by Senator Bumpers which he asked to have put into the record.

[The prepared statement of Senator Bumpers follows:]

STATEMENT OF HON. DALE BUMPERS, A U.S. SENATOR FROM THE STATE OF ARKANSAS

Mr. Chairman, the bill before the Subcommittee today, S. 625, is designed to resolve a long-standing dispute regarding the boundary of Voyageurs National Park in the State of Minnesota. The legislation also implements several components of the Park Master Plan completed in February, 1980.

My primary concern with regard to this legislation is to ensure that the park, and the American people for who the park was established, get a fair deal in any boundary modification proposal. The same important natural resource values that existed when the park was established legislatively in 1971 are still deserving of protection. I recognize, of course, that protection of these values must be balanced with the need to provide for other public objectives and values.

The point is, Mr. Chairman, that deleting lands from any National Park is serious business. I think we all realize that, regardless of the merits, taking lands out of our National Park System is not something the Committee or the Congress should undertake lightly. I can assure the Chairman, and the other members of the Committee and the Minnesota Congressional delegation, that I will be supportive of proposals such as this when I feel the broad public interest is served. Conversely, you can be assured that I will strenuously oppose those efforts to reduce the size of our National Park System when I believe that interest is not well served.

I appreciate this opportunity to provide the Subcommittee with my views on this matter.

Senator WALLOP. I have a resolution by the Board of Commissioners of St. Louis County, Minn., which will be put in the record as No. 737 docket on October 13.

[The resolution follows:]

Form 51215 Certified Copy of Resolution of the Board of County Commissioners of St. Louis County, Minnesota.

Resolution No: 737 Adopted October 13 19 81

By Commissioner Hoff:

RESOLVED, that the Board of County Commissioners of St. Louis County, Minnesota, hereby supports H.R. 846 and S. 625: A bill to revise the boundary of Voyageurs National Park in the state of Minnesota, and directs a study of existing road accesses to the park and the impact of park-related use of those roads and to make recommendations on improvements necessary to insure adequate road access to the park.

RESOLVED FURTHER, that a copy of this resolution be sent to the Secretary of the Interior, Minnesota Congressional Delegation, Committee on Interior and Insurlar Affairs of the House of Representatives, the Committee on Energy and Natural Resources of the Senate, and Governor Quie.

Commissioner Hoff moved the adoption of the Resolution and it was declared adopted upon the following vote: Yeas - Commissioners Dodge, Kron, Hall, Shannon, Anzelc, and Chairman Hoff - 6
Nays - None Absent - Commissioner Doty - 1

STATE OF MINNESOTA
Office of County Auditor ss.
County of St. Louis

I, RUSSELL PETERSEN, Auditor of the County of St. Louis, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 13th day of October A. D. 19 81, and that the same is a true and correct copy of the whole thereof.

WITNESS MY HAND AND SEAL OF OFFICE at Duluth, Minnesota, this 13th day of October A. D. 19 81.

RUSSELL PETERSEN, County Auditor.

By Raymond G. Carlson
Clerk of County Board.

Senator WALLOP. The first witness we have this morning is our colleague from Minnesota, Senator Durenberger.

STATEMENT OF HON. DAVID DURENBERGER, A U.S. SENATOR FROM THE STATE OF MINNESOTA

Senator DURENBERGER. Thank you, Mr. Chairman. I appreciate the fact that you are willing to hold this hearing and that you accommodated as many witnesses as you have. I will lift a couple of comments out of my full statement, which as you have indicated will be made part of the record.

I want to assure the chairman, I am not new to this issue as I am to others when I came to the U.S. Senate. I've been involved in the national parks since probably way back, late 1966. During the course of my service with the State government as executive secretary of the then Governor Romander, we were instrumental in getting the final State approval on the legislation to go ahead with the legislation and then lobbied it down here through the Senate and the House with the help of our then Senators and Congressmen.

In 1971, I was one of a couple of people that just took it upon themselves without any urging or financial backing to lobby the portion of the bill for the implementation section of the bill to the Minnesota State Legislature. And so in one way or another I've been very deeply involved with this issue over a long period of time and I am here today, Mr. Chairman, to present you with what is sort of 10 years after the fact, a summary of all of the best consensus that people in Minnesota have been able to come to about some adjustments that ought to take place in the actions originally taken back in 1971.

And I think it's good that we're here to do this. Too often we have pretended that actions taken at one point in time are so immutable that it is impossible to change. But there's been a lot of good will on all sides. I understand the Park Service has done an outstanding job against what you would anticipate to be occasional and sometimes intense local opposition to certain things. But they have done over these 10 years a really incredible job.

There is a citizens committee that has been involved, the Citizen Advisory Committee representing that organization, just a lot of things going on in Minnesota to make this what it was always intended to be and that is a unique national park because it is one of the Nation's special water base national parks. So while some are apprehensive about some of these recommendations, and you made your written testimony about some of the things we're doing, it is a State and it is, I think, a broader interest saying we want a national park, we like this national park, we want it where it is located and in order to make sure that it is successful, these are the things that have to take place.

One of the major problems, of course, is the deletion of Black Bay which you referred to in your opening statement. I will not go into all the details on that. Suffice it to say, Mr. Chairman, that at a time when we've got to start trusting somebody in the National Government to do the things that we as a nation would like to see done.

My experience with the Minnesota State government with its involvement of people in the State leads me to believe that this is a good time for those of us who have made this a national park to trust the State of Minnesota to design an appropriate management plan for Black Bay.

The other issues are relatively minor. We have a problem with the authorization, you know what's happened to the price of land and inflation and all that sort of thing, and there is a requirement, I think, that should be part of this bill that I know Interior opposes for all of the reasons that you and I know Jim Watt opposes. It's one of those things if you want to be realistic about finishing this thing off, and there are only 99 acres left to acquire, let's be realistic and include that authorization in this bill.

The last thing I think appropriate for me to mention are some possible changes in the bill as I introduced it. We have a problem of access to the park. I believe the report, well there is a report that is required in here that is needed to obtain the Federal perspective on the issue, particularly as we move forward in the development of the Voyageurs National Park.

I am aware of the severe budget constraints, but I recommend that the time limit of 1 year be deleted and the section, whatever section I'm referring to here, may be rewritten to allow flexibility to initiate the study, "as soon as practicable within funds available to the Secretary."

Then there is one suggested amendment that I would like to have, and that is the issue of the State land lease holders whose land was donated by the State to the Voyageurs National Park. Presently they are limited to 10 year occupancy from the date of establishment of the park. The terms of their lease are considerably less than the 25 or lifetime available to land owners to sell. In addition the National Park Service Act in 1916 grants the Secretary of Interior authority to grant the use of land.

Therefore, in the interest of fairness and equity, the 63 lease holders with average holdings of about 1 acre of developed property in the park, I will be recommending that section 202b of the act or of the bill as proposed be amended to read, "Provided that no such right of use and occupancy shall be granted, extended or continued after 20 years, rather than 10 years from the date of establishment of the park."

I will at that point conclude my statement by recommending to your attention those who follow me. In particular our Congressman from the eighth district who while he served John Brotnick as his, well I give credit in getting this bill back in 1971 and he has followed it very closely ever since, to my long-term associates our DNR Commissioner, Joe Alexander, who was instrumental in putting the consensus together and Dan Parmeter, the executive director of the Advisory Committee, Irv Anderson who is a power in the Minnesota Legislature as well as in his home district in which this park is located. Harriet Lykken, the Voyageurs National Park Association, Vic Davis of the Wilderness Properties.

I thank you for your time and attention.

[The prepared statement of Senator Durenberger follows:]

STATEMENT BY
SENATOR DAVE DURENBERGER

1

CHAIRMAN WALLOP, MEMBERS OF THE COMMITTEE,

I AM PLEASED TO HAVE THIS OPPORTUNITY TO DISCUSS S. 625. I INTRODUCED THE BILL IN THE SENATE ON SEPTEMBER 16, 1980 AND WAS JOINED IN THE HOUSE BY MY GOOD FRIEND CONGRESSMAN JIM OBERSTAR WHO INTRODUCED IDENTICAL LEGISLATION. THE BILL IS CO-SPONSORED BY MY COLLEAGUE FROM MINNESOTA, SENATOR BOSCHWITZ WHO IS PRESENT TODAY TO PROVIDE TESTIMONY IN SUPPORT OF THE BILL. S. 625 ENJOYS SIMILAR SUPPORT IN THE HOUSE WHERE CONGRESSMAN VENTO AND OTHER MEMBERS OF THE MINNESOTA DELEGATION HAVE INDICATED STRONG INTEREST IN IT'S PASSAGE.

ALTHOUGH LEGISLATION AUTHORIZING THE ESTABLISHMENT OF VOYAGEURS NATIONAL PARK WAS PASSED ON JANUARY 8, 1971, IT WAS NOT UNTIL APRIL 8, 1975 THAT THE PARK WAS OFFICIALLY ESTABLISHED BY THE SECRETARY OF INTERIOR. SINCE THAT TIME, MUCH HAS BEEN ACCOMPLISHED. THE VOYAGEURS PARK MASTER PLAN HAS BEEN ADOPTED, ALL BUT 5,400 ACRES OF THE 133,622 LAND ACRES IN THE PARK HAVE BEEN ACQUIRED AND ALTERNATIVES FOR WILDERNESS DESIGNATION IN THE PARK HAVE BEEN DEVELOPED PURSUANT TO SECTION 301(B) OF THE PARK ENABLING ACT. THOSE ALTERNATIVES ARE NOW UNDER CONSIDERATION BY THE DEPARTMENT OF INTERIOR.

THROUGHOUT THIS PLANNING PHASE, THERE HAS BEEN EXTENSIVE PUBLIC INVOLVEMENT. THE VOYAGEURS NATIONAL PARK ASSOCIATION HAS BEEN EXTREMELY EFFECTIVE IN REPRESENTING THE INTERESTS OF THE CITIZENS THROUGHOUT THE STATE. THE CITIZENS COMMITTEE

ON VOYAGEURS, OFFICIALLY CREATED BY THE STATE OF MINNESOTA IN 1975 HAS PROVIDED A CATALYST FOR LOCAL INVOLVEMENT AS WELL AS A FORUM FOR REFLECTING STATE CONCERNS. OTHER ORGANIZATIONS SUCH AS THE CRANE LAKE COMMERCIAL CLUB, MINNESOTA ARROWHEAD ASSOCIATION, THE INTERFALLS CHAMBER OF COMMERCE AND THE KABETOGAMA LAKE ASSOCIATION HAVE ALSO BEEN ACTIVELY INVOLVED ON VOYAGEUR ISSUES. THE PARK SERVICE HAS ALSO CONDUCTED NUMEROUS PUBLIC MEETINGS ON PARK MANAGEMENT ISSUES.

THE FUTURE OF VOYAGEURS NATIONAL PARK LOOKS BRIGHT AND CONTINUED INVOLVEMENT BY OFFICIAL AND VOLUNTEER GROUPS COMMITTED TO THE PARK IS BUILDING A SOLID FOUNDATION FOR THAT FUTURE.

THE BILL I INTRODUCED CARRIES OUT THE RECOMMENDATIONS ARRIVED AT IN THE MASTER PLAN FOR THE PARK. BUT MORE SIGNIFICANTLY, IT ALSO RESOLVES THE POINTS OF CONTROVERSY WHICH HAVE ARISEN BETWEEN NORTHERN MINNESOTA RESIDENTS, THE STATE OF MINNESOTA, AND THE DEPARTMENT OF INTERIOR DURING THE PLANNING PROCESS.

SINCE THE ESTABLISHMENT OF THE PARK IN 1975, THE MOST PERVASIVE CONTROVERSY REGARDING VOYAGEURS HAS BEEN THE NATIONAL PARK SERVICE BAN ON HUNTING IN THE BLACK BAY AREA ON THE WESTERN BORDER OF THE PARK. THIS IS IN ACCORDANCE WITH THE SERVICE'S STANDARD PROHIBITION ON HUNTING IN NATIONAL PARKS.

THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES AND LOCAL INTERESTS HAVE CONTENDED THE BLACK BAY AREA, A 1000-ACRE

PORTION OF RAINY LAKE, WAS NOT INTENDED TO BE INCLUDED IN THE PARK. A SUBSTANTIAL ON-GOING CONTROVERSY OVER THE DUCK HUNTING BAN, INCLUDING LITIGATION OVER THE RIGHT TO HUNT, HAS CONTINUED UNABATED SINCE 1975.

S. 625, RESOLVES THE CONTROVERSY BY PROVIDING FOR THE TRANSFER OF THE 1000 ACRES TO THE STATE OF MINNESOTA. THE TRANSFER IS CONTINGENT UPON DNR DESIGNATION OF THE PORTION OF BLACK BAY NOW IN THE PARK (1000 ACRES) AS A WILDLIFE MANAGEMENT AREA, PERMITTING THE HUNTING OF DUCKS, AND THE DEVELOPMENT OF A WILDLIFE MANAGEMENT PLAN FOR THE ENTIRE BLACK BAY AREA. THE STATE HAS AGREED TO DEVELOP A MANAGEMENT PLAN FOR THE ENTIRE 5,500 ACRE AREA OF BLACK BAY, TO INSURE OPTIMUM MANAGEMENT ON A CONSISTENT BASIS. THE AGREEMENT ON BLACK BAY IS MADE WITH THE UNDERSTANDING THAT THE STATE OF MINNESOTA WILL MAINTAIN THE WILDLIFE MANAGEMENT AREA IN PERPITUITY. THE PLAN MUST BE ACCEPTED BY THE SECRETARY OF INTERIOR BEFORE THE TRANSFER CAN TAKE PLACE.

CONCERN HAS BEEN RAISED ABOUT THE DELETION OF BLACK BAY - THE ONE POINT OF CONTROVERSY IN S. 625. SEVERAL POINTS SHOULD BE KEPT IN MIND WHEN EVALUATING THIS PROVISION. FIRST, THE DELETION POSES NO THREAT TO THE RESOURCE. THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES HAS A DISTINGUISHED RECORD OF RESOURCE MANAGEMENT. THE STATE HAS PROVEN TO BE A WISE STEWARD OF NATURAL RESOURCES, AND STATE LAW INSURES DNR MANAGEMENT PRACTICES REGARDING STATE LANDS ADJACENT TO

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BLACK BAY. THE DNR IS PROHIBITED FROM LEASING OR SELLING STATE LAKE SHORE PROPERTY. THE STATE OWNS AN ESTIMATED 75-80% OF THE LAND ADJACENT TO BLACK BAY NOT OWNED BY THE FEDERAL GOVERNMENT. ANOTHER 10-15% IS OWNED BY ST. LOUIS COUNTY WHICH HAS ZONED THE ENTIRE AREA AS AN "OPEN SPACE" MANAGEMENT AREA. UNDER THIS ZONING DESIGNATION, IT IS MY UNDERSTANDING THAT NO NEW BUILDING CAN BE CONSTRUCTED ADJACENT TO BLACK BAY, 90% OF WHICH IS IN STATE OR COUNTY OWNERSHIP.

FINALLY, ALTHOUGH THERE ARE HONEST CONCERNS ABOUT THE DELETION OF BLACK BAY, IT IS MY BELIEF THAT NO DAMAGE WILL RESULT TO THE RESOURCE AND MUCH GOOD WILL FOLLOW AS A RESULT OF SETTLING THE DEEP SEATED CONTROVERSY THAT HAS PLAGUED THE AREA. IT HAS WEAKENED SUPPORT FOR THE PARK, AND UNDERMINED IT'S FORWARD PROGRESS AND DEVELOPMENT. IT IS TIME WE STOPPED FIGHTING EACH OTHER ON THESE KINDS OF DEBILITATING ISSUES AND GOT ON WITH THE EXCITING WORK OF DEVELOPING THIS PARK TO ITS FULLEST POTENTIAL SO THAT ITS BEAUTY AND MAJESTY CAN BE ENJOYED BY ALL THE PEOPLE IN THE COUNTRY.

A SECOND MAJOR PROBLEM HAS BEEN THE LAND ACQUISITION PROGRAM IN VOYAGEURS. THE ORIGINAL AUTHORIZATION WAS SET AT $26,014,000 WHEN THE BILL WAS PASSED IN JANUARY OF 1975. WE ARE ALL AWARE OF THE TREMENDOUS INCREASE IN LAND PRICES IN THE ALMOST ELEVEN YEARS THAT HAVE ELAPSED SINCE PASSAGE OF THE VOYAGEURS BILL.

A REVIEW OF LAND ACQUISITION TO DATE INDICATES THAT ABOUT 129,000 ACRES HAS BEEN ACQUIRED AT A COST OF OVER $31,000,000. 5400 ACRES REMAIN TO BE ACQUIRED - 4% OF THE LAND IN VOYAGEURS NATIONAL PARK.

AT THE PRESENT TIME, THERE ARE TWELVE LAND OWNERS WHO HAVE SIGNED AGREEMENTS - WILLING SELLERS - AT A COST OF $1 MILLION. THE ESTIMATED COSTS OF OUTSTANDING CONDEMNATION COMPLAINTS - 37 TRACTS, 1599 ACRES, IS $3 MILLION. ACQUISITION OF THE 26.4 ACRES AT THE FUTURE HEADQUARTERS SITE AT BLACK BAY NARROWS IS $600,000. $4.6 MILLION COULD BE USED IN THE LAND ACQUISITION PROGRAMS FOR VOYAGEURS DURING FY82.

WITH ALL AUTHORIZED FUNDS EXPENDED, THE LAND ACQUISITION PROGRAM HAS BEEN UNCERTAIN AND SPECULATIVE. HOWEVER, USE OF THE BURTON AMENDMENT TO OBTAIN ADDITIONAL FUNDING ALONG WITH REAPPRAISAL OF THE REMAINING LAND AND WILLING SELLER POLICY HAS LEFT ONLY ONE THING TO BE DESIRED - CAPABILITY OF THE PARK SERVICE TO ACQUIRE THE LAND OFFERED.

THE INCREASED AUTHORIZATION OF $10,995,000 REQUESTED IN S. 625 IS NEEDED TO INSURE THAT IN-HOLDERS IN THE PARK WHO DESIRE PURCHASE OF THEIR PROPERTY CAN BE ACCOMMODATED. THIS FIGURE HAS RECENTLY BEEN UPDATED BY THE PARK SERVICE TO $12,300,000. AS WE ARE ALL AWARE, AUTHORIZATION DOES NOT INSURE THAT MONEY WILL BE APPROPRIATED. HOWEVER, IT DOES NOT MEAN THAT VOYAGEURS CAN BE CONSIDERED FOR FUNDING IN THE ADMINISTRATION BUDGET, A FACTOR OF VITAL IMPORTANCE TO THE FUTURE OF THE PARK.

PARTICULARLY IMPORTANT IS THE NEED TO PROVIDE FUNDS TO ACQUIRE THE VISITOR SITE AT BLACK BAY NARROWS WHICH WILL BE AVAILABLE IF S. 625 PASSES. $2.7 MILLION IN CONSTRUCTION FUNDS FOR FY83 ARE PROJECTED FOR INCLUSION IN THE PARK SERVICE BUDGET. THESE FUNDS WILL PROVIDE THE FIRST VISITOR CENTER FOR THE PARK AND PUBLIC ACCESS FOR BOAT LAUNCHING AND DOCKING. ALTHOUGH $19 MILLION WAS AUTHORIZED IN 1971 FOR DEVELOPMENT, ONLY $300,000 THUS FAR HAS BEEN APPROPRIATED FOR CONSTRUCTION IN VOYAGEURS NATIONAL PARK.

THE BILL TO REVISE THE BOUNDARY OF VOYAGEURS NATIONAL PARK AND INCREASE THE AUTHORIZATION FOR LAND ACQUISITION CULMINATES OVER A YEAR OF NEGOTIATIONS WHICH BEGAN WHEN THE NATIONAL PARK SERVICE ANNOUNCED ITS DESIRE TO NEGOTIATE WITH THE STATE OF MINNESOTA REGARDING BLACK BAY AND STATE LANDS OUTSIDE THE PARK NEEDED FOR PARK ACCESS AND DEVELOPMENT.

THIS BILL REPRESENTS THE AGREEMENT REACHED BY THE DEPARTMENT OF INTERIOR AND THE STATE OF MINNESOTA. THE LEGISLATION INCLUDES THE FOLLOWING PROVISIONS:

1. THE DELETION FROM VOYAGEURS OF 782 ACRES IN THE NEIL POINT, OR GOLD SHORES, AREA ON RAINY LAKE. THIS AREA IS NO LONGER NECESSARY FOR A PARK ADMINISTRATION BUILDING. THE USE OF IT WOULD REQUIRE SUBSTANTIAL DREDGING OF RAINY LAKE, WHICH THE PARK SERVICE HAS DETERMINED WOULD BE ENVIRONMENTALLY UNACCEPTABLE, AND CONSIDERABLE RESIDENTIAL DEVELOPMENT IN THE AREA MAKES IT INCOMPATIBLE WITH THE PURPOSES OF THE PARK.

THE PARK SERVICE MASTER PLAN FOR VOYAGEURS SUPPORTS DELETION OF THE NEIL POINT AREA AND AS AN ALTERNATIVE THERETO, RECOMMENDS:

2. THE ADDITION TO VOYAGEURS OF 180 ACRES OF LAND AND WATER AT BLACK BAY NARROWS FOR PARK DEVELOPMENT NEEDS. THE NARROWS SITE HAS BEEN SELECTED BY THE PARK SERVICE TO PROVIDE THE PRIMARY ACCESS SITE TO THE PARK, BOAT LAUNCHING FACILITIES, A RANGER STATION, A VISITOR CENTER, AND A CENTRAL MAINTENANCE FACILITY, ALL OF WHICH COULD AND SHOULD BE CONSTRUCTED AS EARLY AS FISCAL YEAR 1983.

3. THE DELETION OF BLACK BAY FROM THE PARK BY THE SECRETARY OF THE INTERIOR, SUBSEQUENT TO THE PREVIOUSLY DISCUSSED ACTIONS BY THE STATE OF MINNESOTA.

THE STATE OF MINNESOTA WILL GRANT AND THE NATIONAL PARK SERVICE WILL ACQUIRE A PERPETUAL EASEMENT ON APPROXIMATELY 120 ACRES OF STATE LAND ON THE SULLIVAN BAY ACCESS ROAD BETWEEN THE PRESENT PARK BOUNDARY AND THE ASH RIVER TRAIL. THE EASEMENT WOULD INCLUDE THE PRESENT DIRT ROAD AND A CORRIDOR OF 400 FEET ALONG THE ROAD. THE EASEMENT WOULD PERMIT THE NATIONAL PARK SERVICE TO REALIGN AND IMPROVE THE ROAD, WHICH IS SEEN AS AN ACCESS POINT TO VOYAGEURS. NATIONAL PARK SERVICE FINANCIAL ASSISTANCE IN UPGRADING THIS ROAD HAS LONG BEEN SOUGHT BY LOCAL OFFICIALS. THE 400-FOOT STRIP WILL INSURE THE PARK VISITORS A SCENIC VIEW, SHIELDED FROM POTENTIAL LOGGING SITES IN THAT AREA.

THE STATE OF MINNESOTA WILL GRANT AND THE NATIONAL PARK SERVICE WILL ACQUIRE A LEASE OF 18.45 ACRES OF LAND AT THE KABETOGAMA FORESTRY STATION ON THE WESTERN BOUNDARY OF THE PARK. THIS WILL PERMIT THE NATIONAL PARK SERVICE TO DEVELOP MAINTENANCE FACILITIES AND OTHER SERVICES NEEDED FOR PARK OPERATIONS. LIKE THE ASH RIVER AND SULLIVAN BAY AREAS, KABETOGAMA IS SEEN AS AN ACCESS POINT FOR VISITORS TO THE PARK, AND A DESIRABLE AREA FOR NATIONAL PARK SERVICE FACILITIES.

ALTHOUGH EFFORTS HAVE GONE ON FOR YEARS TO DEAL WITH THE PROBLEM OF ACCESS TO VOYAGEURS, LITTLE HAS BEEN DONE. I BELIEVE THE REPORT IS NEEDED TO OBTAIN THE FEDERAL PERSPECTIVE ON THE ISSUE, PARTICULARLY AS WE MOVE FORWARD IN THE DEVELOPMENT OF VOYAGEURS NATIONAL PARK.

HOWEVER, I AM AWARE OF THE SEVERE BUDGET CONSTRAINTS - HOPEFULLY SHORT-TERM IN NATURE - AND RECOMMEND THAT THE TIME LIMIT OF ONE YEAR BE DELETED AND THAT SECTION BE RE-WRITTEN TO ALLOW FLEXIBILITY FOR THE SECRETARY TO INITIATE THE STUDY "AS SOON AS PRACTICABLE WITHIN FUNDS AVAILABLE TO THE SECRETARY."

FINALLY, I HAVE ONE AMENDMENT TO OFFER TO THE BILL. SINCE I INTRODUCED S. 625, I HAVE BECOME CONCERNED OVER THE FACT THAT STATE LAND LEASE HOLDERS, WHOSE LAND WAS DONATED BY THE STATE TO VOYAGEURS NATIONAL PARK, ARE LIMITED TO TEN-YEAR OCCUPANCY FROM THE DATE OF ESTABLISHMENT OF THE PARK.

THE TERMS OF THEIR LEASE ARE CONSIDERABLY LESS THAN THE 25 YEAR OR LIFE TIME RESIDENCE AVAILABLE TO LAND OWNERS WHO SELL PROPERTY TO THE PARK. IN ADDITION, THE NATIONAL PARK SERVICE ACT OF 1916, (39 STAT 535) SECTION 3, GRANTS THE SECRETARY OF INTERIOR AUTHORITY TO GRANT LEASES FOR THE USE OF LAND WITHIN A PARK FOR NOT EXCEEDING TWENTY YEARS.

THEREFORE, IN THE INTEREST OF FAIRNESS AND EQUITY TO THE 63 LEASE HOLDERS WHOSE AVERAGE HOLDINGS ARE ABOUT ONE ACRE OF DEVELOPED PROPERTY IN THE PARK, I REQUEST THAT SEC.202(B) BE AMENDED TO READ:

> "PROVIDED, THAT NO SUCH RIGHT OF USE AND OCCUPANCY SHALL BE GRANTED, EXTENDED, OR CONTINUE AFTER ~~TEN~~ TWENTY YEARS FROM THE DATE OF THE ESTABLISHMENT OF THE PARK."

THE ESTABLISHMENT OF VOYAGEURS - A MAGNIFICENT NATIONAL PARK - IS TO THE GREAT CREDIT OF THE NATION, MY STATE OF MINNESOTA, AND THE PEOPLE WHOSE VISION HELPED CREATE THE PARK.

I AM PLEASED TO RECOMMEND TO YOU A BILL WHICH I BELIEVE WILL HELP MEASURABLY TO FACILITATE THE MANAGEMENT AND DEVELOPMENT OF THE PARK IN THE BEST INTERESTS OF THE PUBLIC IT SERVES. I BELIEVE THAT PASSAGE OF THIS BILL BY THE CONGRESS WILL MARK A NEW BEGINNING FOR THE VOYAGEURS NATIONAL PARK - A TIME WHEN THE BIRTH PANGS ARE OVER AND WE CAN MOVE FORWARD TOGETHER TO REALIZE THE TREMENDOUS POTENTIAL OF THE VOYAGEUR EXPERIENCE.

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THAT EXPERIENCE MAY BE OF UTMOST IMPORTANCE TO THOSE OF US ABLE TO VISIT VOYAGEURS IN THE TROUBLED TIMES THAT LIE AHEAD.

I URGE FAVORABLE ACTION BY THE SUBCOMMITTEE IN THE HOPE THAT FINAL SENATE AND HOUSE ACTION WILL TAKE PLACE YET THIS YEAR. THIS WOULD BE A MAJOR STEP TOWARD THE DEVELOPMENT OF WHAT WE IN MINNESOTA CONSIDER THE FINEST NATIONAL PARK IN THE COUNTRY.

THANK YOU.

Senator WALLOP. Thank you very much, Senator. May I say that you are more than welcome to come up here and join me on the subcommittee if you have the time and the inclination.

I want to ask you just one question and that is about the amendment extending the lease time. If you didn't give the property you would retain lifetime occupancy, and while I don't wish to do any more than you wish to do by way of that, is that a consideration that we might undertake? Would it have the same purpose? I mean that a seller as a donor?

Senator DURENBERGER. I think the 20 years, or given the fact that we've been at this for so long, a lot of people have known what is coming along. There has been a substantial amount of occupancy beyond what you might already have expected and so it seems to me that moving it from 10 to 20 would be as appropriate as anything.

Senator WALLOP. There is one major problem as the bill is drafted, the lack of any reference to a map. Before the subcommittee takes any action with regard to this legislation I would hope that all parties would work together with the committee staff in preparation of a map that accurately reflects the proposed additions. We would ask, of course, the Park Service to help you and us.

Senator DURENBERGER. I cannot believe we've come to this process without a hundred maps.

Senator WALLOP. I assume you have no objection to a map. Thank you.

And what we'll do, your colleague, Senator Boschwitz, within the interest of time we'll fit in as much as we can before 11 o'clock, we'll just go on.

Senator DURENBERGER. I'll try to come back. I have to go to two other hearings now. I'll try to come back.

Senator WALLOP. Thank you.

In the absence of two members of the Minnesota delegation who have requested an opportunity to appear, Russell Dickenson, Director of the National Park Service, should those gentlemen come in, we'll fit them in.

Mr. DICKENSON. I'm accompanied this morning by Superintendent Tom Ritter of the Voyageurs National Park, and it gives me great pleasure to appear before you and the committee.

STATEMENT OF RUSSELL E. DICKENSON, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY J. THOMAS RITTER, SUPERINTENDENT, VOYAGEURS NATIONAL PARK, NATIONAL PARK SERVICE, INTERNATIONAL FALLS, MINN.

Mr. DICKENSON. With some minor changes we support S. 625. This is a product of over 2 years of close work among members of the Minnesota congressional delegation, the State of Minnesota, citizens' groups, and county governments. And we believe this legislation will resolve some of the longstanding issues that have frustrated the management of Voyageurs National Park.

Essentially this legislation will accomplish five major objectives, and the first one, do you have before you a copy of this map?

Senator WALLOP. Yes.

Mr. DICKENSON. The first one deals with an area known as Neil Point in the far northwestern corner of the park. What we propose to do is eliminate the Neil Point area which was originally conceived and planned as a major visitor access point to the park. And so by eliminating this particular area we will save about $5 million in estimated acquisition costs. A number of homes have gone into that particular area, and events have just passed us by. It just makes good administrative and managerial sense to eliminate this particular area.

Now the administrative facility which had been originally planned for that area will remain in the International Falls area. It is presently leased and I contemplate for the future to continue to lease property there.

Senator WALLOP. It probably is a long-term lease?

Mr. DICKENSON. It's under long-term lease and we believe that makes the greatest long-term sense for us.

The second objective that we wanted to mention to you this morning has to do with the Black Bay Narrows site which is just below Neil Point. And what we propose there, Mr. Chairman, is the acquisition of 26.47 acres of land, and there is some water also. But that makes to us the most logical visitor access point to the lake for the entire water park. And we would propose that be an addition to the land areas of the park itself. The estimated cost of that is $600,000, and it's so situated that it will fulfill all of the visitor facility needs which we visualize there.

The third objective which is addressed by this particular bill has to do with that portion of Black Bay which was originally included within the park boundary. We support the removal of that. That has been a matter of some contention from the moment that the original park boundary was drawn, and in working with the State we are assured that the long-term conservation objectives will be secured.

My understanding is the State is agreeable to setting up the Black Bay as a wildlife management unit taking care that the overall plan will be cognizant of the natural and conservation values which are involved. And in order to remove this longstanding difficulty that remains in the park we totally support the redrawing of the boundary line to exclude the Black Bay portion within the park.

We would like to recommend, Mr. Chairman, a minor change in the bill which appears on page 3, lines 8 through 10. And the language that we are suggesting in lieu of the existing language on line 8, page 3, is: "to manage waters of and State lands riparian to Black Bay to preserve the natural resources of the area so as to complement to the fullest extent possible the purposes for which the park was authorized."

Now the reason that we are suggesting this change, and we believe that it will improve the bill because it will widen the focus of the State plan to include the waters as well as the shoreline of the bay, and it inserts the more pertinent phrase "natural resources" in lieu of "natural character" which is not as precise. And third, it will provide the State with a more substantive criteria for linking management of that area to park purposes. And we see that as really the ultimate purpose here, to insure that the buffering of the

values of that national park are complemented by the State plan itself.

Then finally, in return for deleting Black Bay, the State of Minnesota as a part of our discussions and negotiations has agreed to donate in fee or sufficient interest therein, two areas. One is the Kabetogama Forestry Station site, and the other has to do with the Ash River area. There is 18.45 acres at the Kabetogama Forestry Station and 120 acres within the section of the State-owned land in the Ash River area.

Both of these areas will enhance the public use and access of those portions of the lake area itself which is currently unsatisfactory. And so we see that as a positive adjustment in terms of the overall management of the park.

Taking into account the statement by Senator Durenberger regarding overall land acquisition in the parks, there remains about 7,700 acres of land out of the total original 133,000 that remains to be acquired. We've done a considerable amount of recent reevaluation of the value of those remaining lands. We would like to suggest for the committee's consideration that the new one be put at $12.3 million.

Now about a year and a half ago the figure we had suggested was 10.9, and a year and a half has produced the usual kinds of increase. So the new figure that we are prepared to justify as of today is 12.3 million, which will be the value of the remaining lands.

The final point that I would make has to do with the requirement in the legislation for a road study. And the previous witness, Senator Durenberger, commented on that. We would like to ask that the provisions of this bill be deleted. Up to $100,000 would be needed to study the access roads leading to and serving that park. But the fiscal reality and the budget circumstances in which we find ourselves is that it is unlikely from our viewpoint that we would be successful in working that into our study program and furthermore it may be some years in the future before we can really do very much to enhance road access to the park anyway. So we would like to delete that and make that recommendation.

That concludes my remarks and suggestions.

[The prepared statement of Mr. Dickenson and the administration report follow:]

STATEMENT OF RUSSELL E. DICKENSON, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SENATE SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER, COMMITTEE ON ENERGY AND NATURAL RESOURCES, CONCERNING S. 625, A BILL "TO REVISE THE BOUNDARY OF VOYAGEURS NATIONAL PARK IN THE STATE OF MINNESOTA, AND FOR OTHER PURPOSES."

OCTOBER 29, 1981

MR. CHAIRMAN, ON BEHALF OF THE DEPARTMENT OF THE INTERIOR, I AM PLEASED TO APPEAR BEFORE YOU TODAY TO OFFER TESTIMONY ON S. 625, A BILL "TO REVISE THE BOUNDARY OF VOYAGEURS NATIONAL PARK IN THE STATE OF MINNESOTA, AND FOR OTHER PURPOSES." AT THE WITNESS TABLE WITH ME THIS MORNING IS J. THOMAS RITTER, SUPERINTENDENT OF VOYAGEURS NATIONAL PARK.

WITH SOME MINOR CHANGES, WE SUPPORT THE ENACTMENT OF S. 625, WHICH IS THE PRODUCT OF OVER TWO YEARS OF CLOSE WORK AMONG MEMBERS OF THE MINNESOTA CONGRESSIONAL DELEGATION, THE STATE OF MINNESOTA, LOCAL CITIZENS' GROUPS, COUNTY GOVERNMENTS, AND THE NATIONAL PARK SERVICE. WE BELIEVE THIS LEGISLATION WILL RESOLVE SOME OF THE LONGSTANDING ISSUES THAT HAVE FRUSTRATED THE MANAGEMENT OF VOYAGEURS NATIONAL PARK.

ESSENTIALLY S. 625 WOULD ACCOMPLISH FIVE MAJOR OBJECTIVES AT VOYAGEURS. IN THE FOLLOWING REMARKS, I WILL IDENTIFY EACH OF THOSE AND OUR REASONS FOR OUR POSITION ON EACH. I WILL TAKE THEM IN THE ORDER IN WHICH THEY APPEAR IN THE LEGISLATION.

THE FIRST OBJECTIVE IS THE DELETION OF A MAJOR PORTION OF THE NEIL POINT UNIT, LOCATED IN THE FAR NORTHWESTERN CORNER OF THE PARK. THIS ACTION IS SUPPORTED BY THE VOYAGEURS NATIONAL PARK MASTER PLAN, WHICH WAS COMPLETED IN FEBRUARY, 1980. SINCE BOATING IS A PRIMARY ASPECT OF PARK USE, CONSTRUCTION OF LANDING AND DOCKING FACILITIES WAS ORIGINALLY PLANNED FOR NEIL POINT. STUDIES HAVE REVEALED, HOWEVER, THAT THE CONSTRUCTION OF SUCH FACILITIES IN THIS AREA WOULD BE ENVIRONMENTALLY UNSOUND. MOREOVER, THE AREA HAS UNDERGONE

DEVELOPMENT WITH A NUMBER OF RESIDENTIAL HOMES CONSTRUCTED ON LANDS YET TO BE ACQUIRED BY THE NATIONAL PARK SERVICE. ESTIMATES FOR THE COST OF BUYING THESE LANDS EXCEEDS $5 MILLION. THE TOTAL ACREAGE REDUCTION WOULD BE 782 ACRES. TWO TRACTS PRESENTLY IN FEDERAL OWNERSHIP, A 32.79-ACRE SITE PLANNED FOR A VISITOR CONTACT STATION AND THE 4.65-ACRE LITTLE AMERICAN ISLAND (PART OF THE GOLD MINE SITES HISTORIC DISTRICT) WOULD BE RETAINED OUT OF THE 820-ACRE NEIL POINT AREA.

ADMINISTRATIVE FACILITIES PLANNED FOR NEIL POINT WILL REMAIN AT THEIR PRESENT LOCATION IN INTERNATIONAL FALLS, MINNESOTA. OTHER FACILITIES, SUCH AS THE BOATING DOCK, WILL BE LOCATED AT THE NEARBY BLACK BAY NARROWS SITE. TO DO THIS, SOME 180 ACRES, OF WHICH 26.47 ACRES IS LAND, WILL BE ADDED TO THE 325 ACRES AT BLACK BAY NARROWS NOW IN THE PARK. THIS AREA WILL SERVE AS THE PRIMARY VISITOR ACCESS SITE, AND WILL INCLUDE A BOAT LAUNCHING AND DOCKING FACILITY, A RANGER STATION, VISITOR FACILITY AND CENTRAL MAINTENANCE OPERATION. THE COST OF THE 26.47 ACRES IS ESTIMATED TO BE $600,000. THE ENLARGEMENT OF BLACK BAY NARROWS CONSTITUTES THE SECOND MAJOR OBJECTIVE OF S. 625.

THE THIRD OBJECTIVE WOULD BE THE DELETION OF SOME 1,000 ACRES OF BLACK BAY PRESENTLY WITHIN THE PARK BOUNDARY IN EXCHANGE FOR CERTAIN LAND CONCESSIONS FROM THE STATE OF MINNESOTA. THE DELETION OF BLACK BAY WILL RESOLVE A CONTROVERSY OVER DUCK HUNTING IN THE AREA WHICH HAS EXISTED SINCE SHORTLY AFTER THE PARK'S AUTHORIZATION. OUR INFORMATION SUGGESTS THE AREA WAS HUNTED BY AS FEW AS 20-25 HUNTERS PER YEAR PRIOR TO THE PARK'S CREATION, BUT THE ISSUE HAS TAKEN ON AN EMOTIONAL ASPECT THAT DETRACTS FROM THE SPIRIT OF LOCAL AND STATE COOPERATION WHICH ARE SEEKING TO MAINTAIN AT VOYAGEURS NATIONAL PARK. UNDER THE TERMS OF THE DELETION, THE STATE OF MINNESOTA WOULD AGREE TO DESIGNATE AND ADMINISTER THE AREA AS A STATE WILDLIFE MANAGEMENT AREA, WHERE WATERFOWLING WOULD BE PERMITTED WITHIN SEASON.

WE WOULD FURTHER LOOK TO THE STATE OF MINNESOTA TO DEVELOP A PLAN, AS REQUIRED PURSUANT TO S. 625, FOR THE MANAGEMENT OF THE LANDS RIPARIAN TO BLACK BAY, INCLUDING THE WILDLIFE MANAGEMENT AREA, THAT WOULD COMPLEMENT THE NATIONAL PARK. WE WOULD RECOMMEND A MINOR CHANGE IN THIS PROVISION AS IT APPEARS ON PAGE 3 OF THE BILL, HOWEVER. THIS AMENDMENT WOULD DELETE ALL OF LINES 8 THROUGH 10 ON PAGE 3 AND INSERT IN LIEU THEREOF "...TO MANAGE WATERS OF AND STATE LANDS RIPARIAN TO BLACK BAY TO PRESERVE THE NATURAL RESOURCES OF THE AREA SO AS TO COMPLEMENT TO THE FULLEST EXTENT POSSIBLE THE PURPOSES FOR WHICH THE PARK WAS AUTHORIZED." WE BELIEVE THIS CHANGE WOULD IMPROVE THE BILL BECAUSE 1) IT WIDENS THE FOCUS OF THE STATE PLAN TO INCLUDE THE WATERS AS WELL AS THE SHORELINE OF THE BAY; 2) IT INSERTS THE MORE PERTINENT PHRASE "NATURAL RESOURCES" FOR "NATURAL CHARACTER" WHICH WE VIEW AS SOMEWHAT UNSPECIFIC; AND 3) IT PROVIDES THE STATE WITH A MORE SUBSTANTIVE CRITERIA FOR DEVELOPING ITS PLAN BY LINKING MANAGEMENT TO PARK PURPOSES AS STATED IN LAW RATHER THAN THE GENERAL TERM "PARK MANAGEMENT."

FINALLY, IN RETURN FOR DELETING BLACK BAY THE STATE OF MINNESOTA WOULD AGREE TO DONATE IN FEE OR SUFFICIENT INTEREST THEREIN, INCLUDING A LEASE, 18.45 ACRES AT THE KABETOGAMA FORESTRY STATION AND 120 ACRES WITHIN A SECTION OF STATE-OWNED LAND LYING NORTH OF THE ASH RIVER TRAIL. THE FORESRTY STATION IS BEING REVIEWED FOR TERMINATION BY THE STATE. THE ADDITION OF THE KABETOGAMA FORESTRY STATION WOULD PROVIDE THE PARK SERVICE WITH A MUCH-NEEDED SITE FOR PROTECTION AND MAINTENANCE ON THE WESTERN SHORE OF LAKE KABETOGAMA. EXISTING LEASES FOR A U.S. FOREST SERVICE EXPERIMENT STATION AND THE ST. LOUIS COUNTY SHERIFF'S DEPARTMENT WOULD BE HONORED.

THE 120 ACRES OF STATE LAND NORTH OF THE ASH RIVER TRAIL WILL PROVIDE

TO THE SULLIVAN BAY/KABETOGAMA NARROWS AREA, WHICH THE PARK MASTER PLANS IDENTIFIES AS THE PRIMARY DEVELOPMENT AND ACCESS AREA FOR THE SOUTHERN AND CENTRAL PORTIONS OF THE PARK. THE FINAL ROUTE WILL BE DETERMINED ON THE BASIS OF ENGINEERING STUDIES, BUT IT WILL GENERALLY CONFORM TO THE PRESENT ROAD THAT LEADS FROM THE ASH RIVER TRAIL. THE 120 ACRES WILL INCLUDE A 400-FOOT BUFFER STRIP ON EACH SIDE OF THE ROAD TO ENSURE ADEQUATE SCREENING CLEAR-CUTTING OCCURRING ON ADJACENT STATE-OWNED PROPERTIES. THE STATE OF MINNESOTA HAS AGREED TO MAKE THESE LANDS AVAILABLE TO THE NATIONAL PARK SERVICE.

TAKING INTO ACCOUNT THE NET REDUCTION IN PRIVATE LANDS TO BE PROTECTED AS A RESULT OF THE NEIL POINT DELETION, ABOUT 7,700 ACRES OF PRIVATE LANDS (NOT INCLUDING LANDS PRESENTLY UNDER LITIGATION) REMAIN. S. 625 WOULD AUTHORIZE AN ADDITIONAL $10,995,000 FOR THE PROTECTION OF THESE LANDS. THIS FIGURE IS CONSISTENT WITH THE INFORMATION WE PROVIDED TO THE CONGRESS ON THE COST OF THIS PROPOSAL SOME 18 MONTHS AGO. BECAUSE THE INFORMATION IS THAT DATED, WE HAVE SPENT THE LAST THREE WEEKS BUSILY REVIEWING THE COST ESTIMATE. OUR REVISED ESTIMATE IS $12,300,000 FOR THE PROTECTION OF THE REMAINING LANDS AT VOYAGEURS NATIONAL PARK. THE INCREASE IN LAND ACQUISTION AUTHORIZATION, THE FOURTH OBJECTIVE OF THIS LEGISLATION, SHOULD BE AMENDED TO REFLECT THIS NEW ESTIMATE.

THE FINAL OBJECTIVE OF S. 625 IS THE AUTHORIZATION OF A ROAD STUDY FOR VOYAGEURS NATIONAL PARK. WE ASK THAT THIS PROVISION OF THE BILL TO DELETED. ALL AGENCIES OF THE FEDERAL GOVERNMENT ARE ENGAGED IN AN EFFORT TO HOLD DOWN COSTS. THE ROAD ACCESS STUDY CALLED FOR IN THIS BILL COULD COST AS MUCH AS $100,000. IMPLEMENTATION OF THE STUDY'S FINDINGS COULD REQUIRE FAR GREATER

EXPENDITURES, WHICH FOR THE FORESEEABLE FUTURE WOULD HAVE TO BE DEFERRED. BY THE TIME SUCH MONIES BECAME AVAILABLE, THE CIRCUMSTANCES UPON WHICH THE ACCESS STUDY WERE BASED MAY HAVE BECOME RADICALLY DIFFERENT, RESULTING IN A WASTE OF TIME AND FUNDING. CONSEQUENTLY, WE CANNOT BUT RECOMMEND TO THE SUBCOMMITTEE THAT THIS PROVISION BE STRICKEN.

MR. CHAIRMAN, THIS CONCLUDES MY PREPARED REMARKS ON S. 625. WITH THE ASSISTANCE OF SUPERINTENDENT RITTER, I WOULD BE HAPPY TO RESPOND TO YOUR QUESTIONS ON THIS PROPOSED LEGISLATION. THANK YOU.

United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

OCT 30 1981

Honorable James A. McClure
Chairman, Committee on Energy
and Natural Resources
United States Senate
Washington, D. C. 20510

Dear Mr. Chairman:

This responds to your request for the views of this Department on S. 625, a bill "To revise the boundary of Voyageurs National Park in the State of Minnesota, and for other purposes", which was referred to your Committee on January 13, 1981.

This Department would support enactment of S. 625 if it is amended as suggested below.

S. 625 would authorize (1) the deletion of approximately 782 acres from the 820-acre Neil Point unit of Voyageurs National Park; only two tracts, a 32.79 acre, Federally-owned tract intended as the future site of a visitor contact station, and the 4.65-acre Little American Island, containing an historic gold mine listed on the National Register, would be retained; (2) the addition of approximately 180 acres of lands and waters to the Black Bay Narrows site, in order to meet development needs in the northwestern portion of the Park; (3) the addition of 18.45 acres of State land at the Kabetogama Forestry Station, and some 120 acres of State-owned land at Section 1, T 68 N, R 20 W, 4th P.M., lying north of the Ash River Trail, in exchange for the deletion of an approximately 1,000 acre area from the Park at Black Bay, with the further condition that the State of Minnesota agree to administer the deleted portion of Black Bay as a wildlife management area; (4) the authorization of an appropriation of an additional $10,995,000 for the purchase of Park land; and (5) a report to Congress, within one year of enactment, making recommendations for improvements based on the Secretary's study of existing road access to Voyageurs National Park.

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The deletion of a major portion of the Neil Point unit provided for in S. 625 is consistent with the recently completed Master Plan for Voyageurs National Park. Since boating is a prime aspect of the Park's use, construction of landing and docking facilities was originally planned for Neil Point. However, a University of Minnesota study has concluded that the dredging entailed in the construction of these facilities would be particularly destructive in the Neil Point area. Moreover, the area has undergone further development, with a number of residential homes constructed on lands yet to be acquired by the National Park Service. Estimates for the purchase of these lands now exceed $5 million. In S. 625, most of the cost would be eliminated through deletion of a major portion of the Neil Point unit.

Administrative facilities originally planned for Neil Point would be located at the nearby Black Bay Narrows site after enactment of S. 625. To make the Black Bay Narrows site usable, S. 625 would add approximately 180 acres of lands and waters (26.47 acres of land) to the 325 acres at Black Bay Narrows now in the Park. This area would serve as the primary visitor access site and would include boat launching facilities, a ranger station, a visitor center, and a central maintenance facility. The cost of the 26.47 acres is estimated at $600,000.

S. 625 would also authorize the deletion of approximately 1,000 acres of land at Black Bay within the present boundary of Voyageurs National Park on condition that the State of Minnesota designate, and subsequently administer, the deleted portion as a State wildlife management area. This provision of S. 625 would resolve a controversy over duck hunting in the area which has existed since shortly after the Park's authorization. The Black Bay area was hunted by as few as 20-25 hunters a year prior to the Park's creation, but the issue has taken on an emotional aspect harmful to the local and State cooperation needed for the effective administration of the Park. It is understood that while waterfowling within the managment area would be permitted in season, the taking of wildlife would be controlled by the State of Minnesota.

S. 625 further provides that with respect to the entire Black Bay area, including that portion now within the wildlife management area, the State shall develop a plan to manage lands riparian to Black Bay to the fullest extent possible in a manner that complements Voyageurs National Park. We recommend that this provision be amended to read as it appears on page 3 of H.R. 846, as introduced, by deleting all of lines 8 through 10, and by inserting in lieu thereof, the phrase "to manage waters of and State lands riparian to Black Bay to preserve the natural

resources of the area so as to complement to the fullest extent possible the purposes for which the Park was authorized." We believe this proposed amendment would correct three deficiencies in the present language in the bill: first, it widens the focus of the State plan to include the waters as well as the shoreline of Black Bay; second, it inserts the more accurate and specific words "natural resources" for "natural character", which are, in our view, too unspecific; and three, it ties Black Bay management to Park purposes, rather than Park management, which we believe will provide the State with more substantive criteria for developing its managment plan.

Under S. 625, as a further condition for the Black Bay exchange, the State of Minnesota would agree to convey to the United States title to, or sufficient interest for Park purposes in, 18.45 acres at the Kabetogama Forestry Station, and approximately 120 acres within Section 1, T 68 N, R 20 W, 4th P.M., lying north of the Ash River Trail. Addition of the 18.45 acres at the Kabetogama Forestry Station would provide the National Park Service with a much needed presence for protection and maintenance along the western shore of Lake Kabetogama. We note that existing leases on lands within that area for the U.S. Forest Service Experiment Station and the St. Louis County Sheriff's Department would be honored.

The addition of the approximately 120 acres of State land north of the Ash River Trail would provide access to the Sullivan Bay/Kabetogama Narrows area, which is proposed as the primary development and access area for the southern and central portions of the Park. The final route of the access corridor would be determined on the basis of engineering studies, but the 120 acres would allow a 400-foot buffer strip on each side of the road corridor to ensure adequate screening from the clear-cutting which is occurring on adjacent State-owned properties. We understand the State of Minnesota has agreed to make these lands available to the National Park Service.

Taking into account the net reduction in private lands to be protected as a result of the deletion of Neil Point, about 7,700 acres of private lands (not including lands presently under litigation) remain to be protected. All of the authorized acquisition funds for Voyageurs National Park, totalling $26,014,000, have been appropriated. S. 625 would authorize an additional $10,995,000 for the protection of these lands. That amount is consistent with National Park Service estimates which were prepared over 18 months ago, and is, therefore, dated. We now estimate that $12,300,000 will be required to protect the remaining lands at Voyageurs National Park. We recommend that S. 625 be amended to reflect this latest cost estimate.

We recommend, however, that section 3, authorizing a road access study for Voyageurs National Park, be deleted. All agencies of the Federal Government are engaged in an effort to hold down costs. As much as $100,000 could be required under this amendment to conduct the road study. Implementation of the study's findings could require far greater expenditures, which for the foreseeable future would have to be deferred. By the time such monies became available, the circumstances upon which the access study were based may have radically altered, resulting in a waste of the time and funding invested in it.

The Office of Management and Budget has advised that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

Donald Paul Hodel

ACTING SECRETARY

Senator WALLOP. Thank you very much.

With regard to one of your proposed amendments, I have to tell you that the term, "natural resources", the particular precise term, could be redefined with help from the committee staff to develop report language. There should be an understanding. With all the good will that has been demonstrated so far, there probably wouldn't be any trouble, to kind of characterize properly it in the report.

Mr. DICKENSON. Certainly, we would be pleased to do that.

Senator WALLOP. It's always kind of worrisome when you get into those legislative devices and words of art.

Now in that 1,000 acre area that is proposed for deletion there are at least three small islands, perhaps more, I don't know. But although they are not specifically mentioned, the new boundary would exclude these?

Mr. DICKENSON. That is correct. We intend to withdraw the boundary line to the shoreline area.

Senator WALLOP. It is your professional opinion that these islands should be excluded?

Mr. DICKENSON. We are convinced that the values of Black Bay are no different than any other portion of that particular water.

Senator WALLOP. Black Bay's fluctuating shoreline, what is your opinion as how an easily definable and practical boundary can be established?

Mr. RITTER. Well, Mr. Chairman, we have examined this matter very closely with the Department of Natural Resources and our field people and it is our conclusion that the only boundary that can be recognized and managed would be the shoreline boundary.

Senator WALLOP. The high water shoreline boundary?

Mr. RITTER. It would be established by the actual shoreline which would be fluctuating. This is a condition that exists in other parts of the park and because of the nature of vegetation, it does not present a problem where we have the fluctuating boundary as a result of water changing.

Senator WALLOP. Wherever the water meets the Earth on that day will be the boundary for that day?

Mr. RITTER. That is correct.

Senator WALLOP. Normally this committee has required that State donations be done in fee. Legislation contemplates donation of several leases. I wonder if you could describe the nature of those leases and if they are conditioned in some way to provide permanence to the park.

Mr. RITTER. There are two areas where this matter of leasing has been discussed. I'm sure that Commissioner Alexander will have some other considerations to bring into this, but from our standpoint the purposes that the easement would provide of a road access, could be fulfilled through a permanent easement. This would be a narrow strip of land along a road that was first granted by an easement which has since expired. Consequently there is no legal identity to this road. By granting an easement in the road to be recognized and maintained, it will provide visitor access.

Senator WALLOP. I understand that. I'm wondering if an easement would be better than a lease, and if the terms of the tentative

provisions of those leases are sufficient to provide some permanence to that condition?

Mr. RITTER. The condition of the easement for the road would be a perpetual one, so the terms would be sufficient. And in terms of the ranger station that would be, as I understand, a 10-year lease, with a right of renewal. And it is our understanding that that too would be sufficient to provide for our purposes.

Senator WALLOP. And lastly, what is the present ownership status of the water areas in the park and as 625 the National Park Service would acquire an additional 180 acres of which almost 26½ acres is land and 153½ is water. And from whom is that water area acquired? How do you acquire it, and are there any costs associated with the water area?

Mr. RITTER. The water area would be acquired from the State of Minnesota. There would be no cost of acquiring. In terms of how it would be acquired, I can't answer that in detail. I discussed that with Commissioner Alexander. Perhaps he would be able to respond to that.

Senator WALLOP. I assume it would have to be through the Minnesota Legislature as well.

Thank you both very much.

I have a couple of questions, but in the interest of time I will submit those for response in the record. I see that Senator Boschwitz and Congressman Oberstar are in the room. We welcome you both and proceed in whichever fashion determines.

[Subsequent to the hearing the Department of the Interior supplied the following:]

JAMES A. McCLURE, IDAHO, CHAIRMAN
MARK O. HATFIELD, OREG.
LOWELL P. WEICKER, JR., CONN.
PETE V. DOMENICI, N. MEX.
MALCOLM WALLOP, WYO.
JOHN W. WARNER, VA.
GORDON J. HUMPHREY, N.H.
FRANK H. MURKOWSKI, ALASKA
DON NICKLES, OKLA.
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D. MICHAEL HARVEY, CHIEF COUNSEL FOR THE MINORITY

United States Senate
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
WASHINGTON, D.C. 20510

October 30, 1981

Mr. Russell E. Dickenson
Director
National Park Service
U.S. Department of Interior
Washington, D. C. 20240

Dear Mr. Director:

Enclosed are questions directed to you for your response, during a hearing held October 29, 1981, by the Subcommittee on Public Lands and Reserved Water, of the Energy and Natural Resources Committee, concerning S. 625, to revise the boundary of Voyageurs National Park in the State of Minnesota. Your quick response to these proposed questions would be most appreciated.

Sincerely,

Malcolm Wallop
U.S. Senator

TB:skw

NATIONAL PARK SERVICE

What is the estimated value of the private lands within the park boundary currently under litigation?

Does the Park Service support the acquisition of the remaining 7700 acres of private lands? Does it make sense to seek to acquire some lesser interest in these lands or is fee acquisition necessary to protect park resources?

United States Department of the Interior

NATIONAL PARK SERVICE
WASHINGTON, D.C. 20240

DEC 23 PM 2:13

IN REPLY REFER TO:
A3615(MWR-DP)

DEC 21 1981

Honorable Malcolm Wallop
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510

Dear Senator Wallop:

We are pleased to reply to your letter of October 30 and attached questions from the October 29 hearing concerning S. 625, to revise the boundary of Voyageurs National Park in Minnesota.

The estimated value of the private lands within the park boundary currently under litigation is $3,000,000.

It should be noted that the remaining acreage to be acquired by the National Park Service is 5,400 rather than 7,700 acres. Regarding your question of our support of the acquisition, it is the goal of the National Park Service, in so far as it is consistent with the Department of the Interior's forthcoming land protection policy, to acquire all remaining properties and lands located within Voyageurs.

We have reviewed and evaluated all of the alternatives to fee acquisition including easement, cooperative agreement and zoning. On the basis of cost effectiveness and compliance of conditions prescribed by P.L. 91-661, the law authorizing the park, it was the clear conclusion that fee purchase was the best alternative. The existing land acquisition plan, of course, will be reviewed for compliance with departmental policy.

We hope this response satisfactorily answers your inquiries. If you need additional information, we will be happy to respond.

Sincerely,

Harry C. Barnett

ACTING DEPUTY
Director

STATEMENT OF HON. RUDY BOSCHWITZ, A U.S. SENATOR FROM THE STATE OF MINNESOTA

Senator BOSCHWITZ. Mr. Chairman, I am here today to express my support for S. 625, which is a bill I cosponsored with Senator Durenberger, to revise the boundary of the Voyageurs National Park in the State of Minnesota.

If this legislation is enacted by Congress, it will resolve a large controversy between northern Minnesota residents and the National Park Service about the Voyageurs National Park.

Since the establishment in 1975, the Park Service has banned duck hunting in the Black Bay area in accordance with the Service's standard prohibition of hunting in the national parks. This has been a sore point with area residents, many who contend that Black Bay was not supposed to have been included in the park.

Last fall the Department of the Interior, through the National Park Service and the State of Minnesota, through its Department of Natural Resources reached a compromise to exchange land that will permit duck hunting in the 1,000-acre Black Bay area. Among other exchanges, Minnesota will give the Federal Government 180 acres of land and water at Black Bay Narrows for park development. The State of Minnesota has agreed to then designate the Black Bay area a wildlife management area, permitting duck hunting but protecting other wildlife.

This is a fair, sensible solution to a difficult problem. In the last few years, many residents of northern Minnesota have felt that the Federal Government has treated them unfairly, by either taking their land or imposing restrictions on their way of life. This is a solution that takes into account their concerns, and their desire to be able to duck hunt in Black Bay, as well as the concerns of the environment, the State of Minnesota and the Federal Government.

It is my hope that this committee, the full Senate and the Congress will approve this compromise.

I appreciate this opportunity to speak to you about it.

Senator WALLOP. Thank you very much.

[The prepared statement of Senator Boschwitz follows:]

STATEMENT OF HON. RUDY BOSCHWITZ, A U.S. SENATOR FROM THE STATE OF MINNESOTA

Mr. Chairman, I am here today to express my support for S. 625, a bill I have cosponsored with Senator Durenberger, to revise the boundary of Voyageurs National Park in the State of Minnesota.

If this legislation is enacted by Congress, it will resolve one of the biggest points of controversy between northern Minnesota residents and the National Park Service about Voyageurs National Park.

Since the establishment of Voyageurs National Park in 1975, the Park Service has banned duck hunting in the Black Bay area in accordance with the Service's standard prohibition of hunting in national parks. This has been a sore point with area residents, many who contend that Black Bay was not supposed to have been included in the Park.

Last fall the Department of the Interior, through the National Park Service and the State of Minnesota, through its Department of Natural Resources reached a compromise to exchange land that will permit duck hunting in the 1,000 acre Black Bay area. Among other exchanges, Minnesota will give the federal government 180 acres of land and water at Black Bay Narrows for park development. The State of Minnesota has agreed to then designate the Black Bay area a Wildlife Management Area, permitting duck hunting but protecting other wildlife.

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It is my hope that this committee, the full Senate and the Congress will approve this compromise.

Thank you.

STATEMENT OF HON. JAMES L. OBERSTAR, A U.S. REPRESENTATIVE FROM THE STATE OF MINNESOTA

Mr. OBERSTAR. Thank you very much for taking the time to hold these hearings and initiate the legislative action on this issue.

I think it's very generous of this committee to undertake an issue that doesn't figure large in the national picture, but is very large and very important in Minnesota, and to begin work on it. And may I say that on behalf of the chairman of the counterpart subcommittee in the House, Mr. Seiberling, a gentleman from Ohio, he has said the House will act promptly upon completion of action by the Senate since you have initiated action over here, and we're delighted that the Senator has taken this initiative. And we can look forward to completing action in this 97th Congress on this matter.

The bill that Senators Boschwitz and Durenberger introduced in the Senate is a counterpart bill, or mine is a counterpart to theirs, H.R. 846, and our totally bipartisan, almost nonpartisan effort to resolve the issues of lingering festering character on Voyageurs National Park. Actually, this bill started 20 years ago when the Director of the National Park Service, Conrad Worth, made a trip to Minnesota at the invitation of a number of groups, and the Governor at the time, to look at this area.

If I may, because it is so important, Mr. Chairman, Conrad Worth drew a line right across here, just sort of an arbitrary line, and said the park would end here and the boundaries would follow along the peninsula. Now for the next 10 years until the bill was enacted, people, because that line had been so broadly publicized, just assumed that was going to be the line. In fact, somewhere it got moved a little farther west and followed an arbitrary marker here. This is one of those county-township lines, and this whole area of Black Bay was sealed off. That was not the intention, it was not in the public mind. People continued to think of the entire part of Black Bay as being available to them for hunting.

There are very few good areas for duck hunting in the International Falls region. This is one of them. This is the prime duck hunting area, and has been considered so. And because it was included within the park boundaries, has served as a point of contention and of anguish for the people. A symbol of Government interference in private lives. To remove this little piece of territory, relatively small in the total picture, a very little part of land, it's about a 1,000 acres, but very little of it is land. A few islands, which they're not islands, they're more like bogs. That whole portion of the mainland on the main part of the peninsula is a bog. A floating bog at that. Good duck land, not much good for anything else. No park developments, no residents, nothing to require a

good, sensible management plan that is underway, that will not require any kind of federal investment here; removing this from the park will not adversely affect the development of the park, but it will do something very special. It will be a signal to the people that Government cares about the way they manage their private lives.

Voyageurs is not like other parks. It doesn't have a lot of development in it all ready to form a base. There is going to have to be a considerable amount of investment now that the land acquisition is just about completed. Removing Black Bay, proceeding with the development of the park, is going to be an act of reconciliation, if you will, with the people of northern Minnesota who have felt themselves alienated from Government because this land was taken from them without their total consent, with some misunderstandings.

I think the misunderstandings can now be resolved in the very creative management plan that the State has worked out with the National Park Service. Black Bay is symbolic. It's symbolic of the pains of establishing the national parks and wilderness areas. It's symbolic of the resistance of people against overwhelming, smothering Government. It's symbolic of decisions made by people distant from the local area, affecting their lives. And to proceed with this legislation to remove that area of contention, it's also going to be symbolic of restoring faith to the people, that Government really does care.

I've lived with this matter for about 20 years. In my previous existence as an administrator, my predecessor in Congress worked very closely with Senator Durenberger when he was assistant to then Governor LeVander in shaping the basic outline of this park program and try to resolve these contentious problems. This is the last one remaining. If this one can be resolved I think we can move ahead with a splendid addition to the national park system.

Voyageurs was established in 1975, formally established by the Secretary, but very little has happened to give people the feeling that Voyageurs is really a national park. That it needs to bring the economic benefits to northern Minnesota that were promised when this park legislation was first introduced and later passed and signed into law by President Nixon.

There are three elements to this bill, the boundary changes that Senator Boschwitz has outlined which are in my prepared statement which you already have very ample information on; the other is funds for continued land acquisition, about 7,000 or so acres remaining in the park which should be acquired and ought to be done on a very timely planning basis; third is planning for access roads. The authorization is $100,000. And there may be a tendency to pull back from this additional authorization, but $100,000 is not an awful lot of money. These are funds that can be appropriated as the budget provides for them, but they too are symbolic and important.

What use is a park if you can't get there? Already we have this long stretch of U.S. 53 running from points south to International Falls and to the southern border of the perimeter of the park, a road that is badly in need of upgrading to a four-lane status or at least above the highest grade of two lanes. We have literally caravans of cars moving at 30 miles an hour. Few people are getting to

that park, certainly not the 2 or 3 million visitors projected 10 years ago when we talked about Voyageurs National Park, the crown jewel of the national park system, and millions of people and economic benefits to northern Minnesota. The access road planning in the southern perimeter of the park will be most important, so I urge the committee to give that provision of the bill its very careful consideration.

I'd be happy to respond except I just got a note we have a recorded vote on the House floor.

Senator WALLOP. I thank you both very much.

[The prepared statement of Congressman Oberstar follows:]

STATEMENT OF HONORABLE JAMES L. OBERSTAR, M.C.

OCTOBER 29, 1981

SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

MR. CHAIRMAN, I appreciate the opportunity to testify today to express my support for S. 625, legislation identical to H.R. 846, which I have introduced in the House.

During the past two years, Senator Durenberger and I have worked closely with the National Park Service and the Minnesota Department of Natural Resources to develop this legislation. The legislation has bipartisan support. Senator Rudy Boschwitz and Congressman Bruce Vento, a member of the House Interior Committee, have joined Senator Durenberger and me as cosponsors of the legislation. Minnesota Governor Al Quie strongly supports this legislation.

Our bill:

1. Incorporates recommendations for boundary adjustments made by the Park Service in its management plan for the Park;

2. Increases the authority for land acquisition to continue on a willing-buyer/willing-seller basis;

3. Authorizes agreement between the Park Service and the State of Minnesota for leasing of state facilities for Park administration; and

4. Returns management of the waters and islands of Black Bay to the State of Minnesota.

This legislation represents a product of extensive discussions involving state and federal agencies, private citizens groups and myself and Senator Durenberger. It is an essential step in the future development of the Park.

It would resolve a lingering controversy over hunting in tne Black Bay area of the park. It would enable the Park Service to establish a development site in the area of International Falls, which has been delayed far too long.

The major provisions would:

- Delete approximately 782 acres in the Neil Point area of the Park, as recommended by the Park Service master plan;

- Add approximately 180 acres in the Black Bay Narrows area of the Park;

- Permit the Secretary of the Interior to lease 18.45 acres at the Kabetogama State Forestry Station from the State of Minnesota;

- Permit the Secretary to obtain a permanent easement for development of road access along the Ash River trail;

- Delete approximately 1,000 acres, almost entirely water, of Black Bay;

- Increase the authority for land purchases by $10,995,000, the amount the Park Service estimates will be needed to complete the acquisition program;

- Direct the Secretary of the Interior to inventory road access to the Park and report his recommendations for improving that access.

The State of Minnesota would manage the lands and waters of Black Bay as a wildlife management area, in which only water fowl hunting would be permitted. The State would also agree to develop a management plan for its lands adjoining Black Bay to preserve the natural character of the area to complement the management of the National Park.

In addition, the Department of Natural Resources of the State of Minnesota has agreed to:

- Lease the Kabetogama State Forestry Station to the National Park Service;

- Grant the Park Service a permanent easement on 120 acres along the Ash River Trail for the development of a road into Sullivan Bay;

The deletion of the Neil Point area recommended by the master plan would result in retention of approximately 625 acres of land in the private sector, and return of 25 acres of land to Koochiching County, and 133 acres of land and water to the State of Minnesota. 9 permanent residences, 13 seasonal cottages, and 1 commercial business--houseboat rental operation--will be affected.

The legislation would not require the State of Minnesota to transfer fee title to any additional land. Prior to the establishment of the park, the State donated 35,235 acres. This legislation would require only that the State provide the Park Service with a lease on 18.45 acres and an easement for another 120 acres for the road access along the Ash River trail.

The legislation offers a sensible approach to land management by the federal government.

The increase in funding will enable the Park Service to acquire property on a willing-buyer/willing-seller basis. The funding increase proposed in this bill is necessary to insure that the Park Service has the authority to enter into agreements with landowners who wish to sell and the authority to proceed with long-promised development activities.

Finally, the bill directs the Park Service to undertake a comprehensive study of the road access to the park and to report to Congress on its recommendations to improve that access. This Congress has a responsibility to improve access to the park, and to upgrade those roads whose use of which is primarily generated by the presence of the park. The legislation does not authorize any road construction.

The issues facing Congress related to the Park are broader than those addressed by our bill. Present Park Service policy has left the park in a state of limbo.

The federal government has not adequately fulfilled the promises made at the time of the establishment of the Park. The government has spent only $300,000 of a $19,000,000 authorization to develop visitor centers in the Park, to encourage use of the Park. The people living in the area have received little of the economic benefit which had been promised during congressional consideration of the authorizing legislation.

In establishing VNP, Congress made the decision to restrict certain uses of the land within the Park to permit enhanced enjoyment of other activities within the Park. To date, there has been restriction without sufficient commitment to permit enhanced enjoyment of other uses within the Park.

This legislation will not resolve that issue. This legislation, however, will remove lingering controversy over Black Bay, will increase the authority for acquisition, delete the highly developed Gold Shores area, and add an area in Black Bay Narrows necessary for a development site. This legislation is absolutely essential

to the future of the Park. It is, however, only the next step. Congress, the National Park Service and the Department of the Interior must address the question of what the federal government intends to do to complete the establishment of Voyageurs as a national park.

The Park is incomplete. Unless Congress and the Administration act to change current policies toward the Park, Voyageurs will remain incomplete. The Committee has before it an excellent bill: modest, but very important to the future of the Park. I urge early and favorable consideration of it.

88-974 O—82——4

Senator WALLOP. Senator Durenberger opened our hearing. It's obvious that anytime 1,000 acres is deleted from any national park, that is serious business and it's not to be taken lightly. It's a matter for careful consideration. They rely a little bit on the subcommittee process to provide them information.

I guess it is my intention that the committee will do whatever is necessary to establish not only the facts of the issues but the equities involved, and I appreciate both of your testimonies here as part of it this morning.

Now we'll proceed and get in as many as we can of the remaining witnesses.

Mr. Joe Alexander, commissioner of the Department of Natural Resources of the State of Minnesota. We have seven left and 45 minutes, so I suspect if we hold to the 5-minute rule, and I realize that's a long way to come to speak for 5-minutes, in the interest of time to get everybody accommodated.

STATEMENT OF JOSEPH N. ALEXANDER, COMMISSIONER, DEPARTMENT OF NATURAL RESOURCES, STATE OF MINNESOTA

Mr. ALEXANDER. I think I can hold to your limit. I think that the detailed testimony I had planned to give has been given by the previous people here.

I concur with the statements that Congressman Oberstar mentioned relative to his involvement with the Voyageurs National Park. I think he is very knowledgeable about all of this background as are all of the representatives.

My name is Joseph Alexander, I am commissioner of the Department of Natural Resources, and I am speaking here for the State of Minnesota.

I think the controversy that has been mentioned previously on duck hunting is one of the major controversies in northern Minnesota relative to the operation of the park, and we support passage of S. 625 that would delete this.

This is about a thousand acres and as you mentioned, almost all water area with the exception of about 27 acres, an island of somewhat dubious qualities as far as islands are concerned, so we're talking about a minimum area there.

At one time we had a lot of litigation that diverted interest from the operation of the park relative to duck hunting, and we think that S. 625 deleting this area from the park would solve most of this controversy. I am committed as Commissioner of the park to managing this area. If it is deleted as a wildlife management area and those people and those of you who are familiar with us in Minnesota and our wildlife management program realize that these are very unique areas and can be managed with wide range of responsibility and dedication to the natural resources. So we will, as we have in the past, and are cooperating with the national park for air quality and land quality and quality of the environment, manage those consistent with that agreement.

You have a copy of the things that we have listed here and a detail of what we are talking about, and we contend we will continue as we have for many years to protect the population of the Black Bay, and we will keep the season closed whenever necessary

to protect the spawning fish. We will develop specific fish management programs for all of Laney Lake, including Black Bay, and we will protect any standard of quality of education in and around the Black Bay. We will prohibit as we have for many years by law the construction of any permanent duck blinds so as to preserve the character of that area.

I have mentioned a few of these to indicate to you our commitment to what we are trying to do here and quoting from our law. The cooperation between the Voyageur National Park and DNR to accomplish the park's purpose. It is appropriate and serves both the State and the national interests.

In skipping through this, there may be some questions. I want to keep within the time limit. The testimony is there. Mr. Chairman, if you have any question or anything you would like to hit me with, I'd be very willing to try to answer it.

Senator WALLOP. Thank you very much.

[The prepared statement of Mr. Alexander follows:]

STATEMENT OF

JOSEPH N. ALEXANDER

COMMISSIONER OF NATURAL RESOURCES

STATE OF MINNESOTA

REGARDING S. 625

(VOYAGEURS NATIONAL PARK BILL)

OCTOBER 29, 1981

Good morning. My name is Joseph Alexander, and I am the Commissioner of the Minnesota Department of Natural Resources. I am here today on behalf of Governor Quie.

The State of Minnesota strongly supports the passage of S. 625. Governor Quie has already expressed his support in a letter dated September 22, 1980, a copy of which I have furnished the committee. We both believe this legislation will resolve several major issues which have created serious obstacles to the acceptance, development and management of Voyageurs National Park.

First, and most important from the State's viewpoint, is the question of duck hunting on Black Bay, which is a portion of Rainy Lake. Since the passage of the Voyageurs National Park Act in 1968, controversy has raged over whether duck hunting was to have been permitted in the eastern end of the bay. By including approximately 1000 acres of the bay in the park, the 1968 act effectively prohibited hunting in an area that traditionally had been used for that purpose. Many people believed and continue to believe that this was a mistake.

The continuation of this controversy, including at one time protracted litigation in the federal courts, has diverted attention from more important questions of park management and has impeded the development of strong local support for the park. These negative effects have been unnecessary. Black Bay is by no means essential to the integrity of the park. Except for a few tiny islands comprising less than 27 acres, the area is entirely water. The purposes now served by the area do not require park status.

S. 625 would delete this area from the park. This would permit hunting within the area. Although I do not expect the hunting pressure to be very great, I stand ready, upon passage of this act, to designate the area as a wildlife management area under state law, not only for the purpose of preventing any significant adverse impact on the wildlife populations and other natural resources of the area, but also to assure that it continue to receive special management consideration. I have already prepared the necessary Commissioner's Order, and have provided a copy of it as well as our general regulations for wildlife management areas for your information.

In addition, I am committed to managing the waters of and state lands adjacent to Black Bay generally, including that part of the bay now outside the park, so as to preserve the natural character of the area, to prevent any degradation in quality of

the waters flowing from these lands, and to protect and enhance fish and wildlife habitat. I do this in furtherance of the cooperative agreement of August 2, 1972, between the State and the Secretary of the Interior to maintain the highest possible standards of air, land, and water quality. (A copy of this agreement has been furnished to the committee.)

Furthermore, existing Minnesota statutes prohibit the sale of state-owned lakeshore and, since 1973, the leasing of state shoreland for residential purposes (M.S. 92.45 and 92.46). Also, I will take all necessary administrative actions to assure that no additional access roads will be built on state lands and that timber cutting on these lands will be restricted within areas visible from the lake. The foremost management objective of these lakeshore areas will be preservation or enhancement of aesthetic qualities. Since the State owns and manages 70% of the land around that portion of Black Bay now outside the park, these actions will have substantial impact. Moreover, half of the remaining shoreland is county-administered, tax-forfeited land, which, by statute, is also withdrawn from sale.[1/] (Minn. Stat. Sec. 282.018)

I would also like to emphasize several other things the state will do to maintain the existing character of the area and the

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[1/] The ownership of the remaining lands around this part of the Bay is county (15%) and private (15%).

quality of the resources under its jurisdiction:

(1) We will continue, as we have for many years, to protect the large spawning concentrations of walleye in Black Bay, Rat Root River and Rat Root Lake by delaying opening of the fishing season. The opening of the season in these areas will be timed to follow the dispersal of the post-spawning concentrations.

(2) We will develop a specific fisheries management plan for all of Rainy Lake, including Black Bay.

(3) We will continue to protect the stands of aquatic vegetation around the margin of Black Bay by Commissioner's Order No. 1938, a copy of which is attached to this statement.

(4) We will prohibit the construction of permanent duck blinds in this marginal vegetation as required by law.

I have mentioned all of these matters so as to demonstrate continuance of the State's long-standing commitment to sound resource management in the area. Furthermore, these actions clearly indicate our desire to work cooperatively with the Park Service to complement park management. This spirit of cooperation is embodied in the cooperative agreement I have entered into with the National Park Service in August of 1979. Among other things that agreement (a copy of which is attached) states expressly that "the Minnesota State Legislature encouraged and

concurred with the authorization and purpose of V.N.P." and that "cooperation between V.N.P. and the D.N.R. to accomplish the park's purpose is appropriate and serves both state and national interests".

This spirit of cooperation is not new. For the benefit of those of you who are unfamiliar with the creation of the Park, it was established only after Minnesota donated one-fourth of the land area, or over 36,000 acres of land, for the park. Because approximately 25,000 of these acres were trust fund lands constitutionally dedicated to promote the public school system in Minnesota, over $5 million dollars was spent by the state to condemn the trust interests in state courts prior to donation to the United States.

In addition to the Black Bay boundary issue, the bill also addresses several other important matters including the deletion of the Neil Point area pursuant to the recommendations of the master plan for the park, the addition of lands at Black Bay Narrows and the Kabetogama State Forestry Station necessary for park management purposes, the addition of an access corridor to the Sullivan Bay/Kabetogama Narrows area, and the provision of additional funds for land acquisition. The State supports each of these elements of the bill and is prepared to make state lands at the Kabetogama Forestry Station and within the Sullivan Bay access corridor available under lease and easement to the Park Service for its use.

This bill should be passed. It will settle the long-standing controversy over the status of Black Bay and it will actually enhance the management of the park. I believe it is time for us to take this action and get on with the important business of managing the park. Thank you.

ALBERT H. QUIE
GOVERNOR

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
ST. PAUL 55155

September 22, 1980

The Honorable David Durenberger
353 Russell Senate Office Building
Washington, D.C. 20010

Dear Dave:

Since the passage of the Voyageurs National Park Act of 1968, controversy has raged over whether duck hunting was to have been permitted in the eastern end of Black Bay, which is a portion of Rainy Lake.

It is my understanding that a compromise embodied in H.R. 8126 has been reached between the Department of Interior and the people who support hunting.

The Minnesota Department of Natural Resources has agreed to a part of the compromise which provides the Park with necessary access to Sullivan Bay and a maintenance base at the Kabetogama Forestry Station. Further, they have agreed that the State will act quickly upon passage of the legislation to declare the eastern end of Black Bay a wildlife management area, and to develop a management plan for the State lands around Black Bay that will ensure the perpetuation of the natural character and beauty of the shoreline.

I urge the passage of H.R. 8126 which represents real opportunity to settle a long-standing, difficult controversy in a way that serves the interests of all the people.

Very truly yours,

Albert H. Quie

ALBERT H. QUIE
GOVERNOR

cc: Shirley Hunt, Peter Cove,
Tom Ritter, Don Parmeter

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United States of America

STATE OF MINNESOTA

DEPARTMENT OF STATE

I, Arlen I. Erdahl, Secretary of State of the State of Minnesota, do hereby certify that I have compared the annexed copy with record of the original --instrument-- in my office of Voyageurs National Park Environmental Quality Agreement, as filed in this office on the 11th day of September, 1972 under Official Document File No. 24420 - - - - - - - - - - - -

and that said copy is a true and correct transcript of said --instrument-- and of the whole thereof

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol in St Paul, this 12th day of September A. D. 19 72

Secretary of State

VOYAGEURS NATIONAL PARK

ENVIRONMENTAL QUALITY AGREEMENT

THIS AGREEMENT is entered into between the State of Minnesota by its Governor, and the Secretary of the Interior of the United States of America.

WHEREAS, the Congress of the United States has enacted Public Law 91-661 authorizing the establishment of Voyageurs National Park in the State of Minnesota; and

WHEREAS, the Legislature of the State of Minnesota has enacted Laws 1971, Chapter 852, authorizing the donation of certain State Lands to the United States for Voyageurs National Park; and

WHEREAS, Section 10 of Chapter 852 provides that before any lands are conveyed to the United States pursuant to said Chapter, the State shall enter into a written agreement with the Secretary of the Interior or his designee relating to the maintenance of air, land, and water quality in Voyageurs National Park; and

WHEREAS, in order to preserve, for the inspiration and enjoyment of present and future generations, the outstanding scenery, geologic conditions, and waterway system which will constitute Voyageurs National Park, it is the intention and desire of the governments of the State of Minnesota and the United States of America to maintain and improve the air, land, and water quality in the Park;

NOW, THEREFORE, the State of Minnesota and the Secretary of the Interior of the United States of America agree, consistent with the lawful authority possessed by the State of Minnesota and the Secretary of the Interior in his administration of the National Park System, to cooperate to maintain in

Voyageurs National Park the highest standards relating to air, land, and water quality, whether these highest standards be State or Federal.

IN WITNESS WHEREOF, the parties have hereunto set their hands this AUGUST 2 day of _____, 1972.

Nathaniel P. Reed
Assistant Secretary of the Interior of the United States of America

Wendell R. Anderson
Governor of the State of Minnesota

24420
O.D.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
SEP 11 1972
Secretary of State

92.36 LANDS CLASSIFIED.

Upon the basis of all of the facts concerning land use now obtainable and in the manner provided in sections 92.33 to 92.37 the land use committee, or its successor, the state planning officer, shall make and determine a temporary land classification of land areas with reference to the known uses to which such areas are adapted or adaptable. This classification shall be adopted by a majority vote of the committee and recorded in its minutes. A certified copy of the temporary classification, together with a brief statement of the reasons therefor, shall be recorded in the office of the county recorder in each county in which the lands classified are located. No fees shall be paid for this recording. When such temporary classification has been adopted by the land use committee none of the lands classified as non-agricultural shall thereafter be sold or leased by the state for agricultural purposes.

History: *1933 c 436 s 4; 1969 c 9 s 14; 1976 c 181 s 2 (6302-8)*

92.37 REPORT TO LEGISLATURE.

The land use committee, or its successor, the state planning officer, shall report the results of its land classification to the legislature with such recommendations as it may deem advisable.

History: *1933 c 436 s 5; 1969 c 9 s 15 (6302-9)*

92.38 [Renumbered 94.341]
92.39 [Renumbered 94.342]
92.40 [Renumbered 94.343]
92.41 [Renumbered 94.344]
92.42 [Renumbered 94.345]
92.43 [Renumbered 94.346]
92.44 [Renumbered 94.347]

92.45 STATE LAND ON MEANDERED LAKES WITHDRAWN FROM SALE; EXCEPTION.

All state lands bordering on or adjacent to meandered lakes and other public waters and watercourses and the live timber growing or being thereon hereby are withdrawn from sale except as hereinafter provided. The commissioner of natural resources may sell any such timber as otherwise provided by law for cutting and removal under such conditions as he shall prescribe in accordance with approved, sustained yield forestry practices. He shall reserve such timber and impose such other conditions as he deems necessary for the protection of watersheds, wildlife habitat, shorelines, and scenic features. Within the area in Cook, Lake, and St. Louis counties described in the Act of Congress approved July 10, 1930, (46 Stat. 1020), the timber on state lands shall be subject to like restrictions as are now imposed by said act on federal lands.

Of all such land bordering on or adjacent to meandered lakes and other public waters and watercourses and so withdrawn from sale, a strip two rods in width, the ordinary high-water mark being the water side boundary thereof, and the land-side boundary thereof being a line drawn parallel to the ordinary high-water mark and two rods distant landward therefrom, hereby is reserved for public travel thereon, and wherever the conformation of the shore line or conditions require, the commissioner shall reserve a wider strip for such purposes.

Any such state lands bordering on or adjacent to the Mississippi River or any such lakes, waters, and watercourses in the bottom lands thereof, desired or needed by the United States government for, or in connection with, any project heretofore authorized by Congress for the improvement of navigation in the Mississippi River, may be sold by the commissioner at public sale according to

law, as in other cases, upon application by a fully authorized United States official, setting forth a description of the land and transmitted with a map showing its location with reference to adjoining properties.

History: *1923 c 430 s 11; 1927 c 330 s 1; 1929 c 21 s 1; 1951 c 20 s 1; 1969 c 1129 art 10 s 2 (6463)*

92.46 LANDS AS CAMP GROUNDS.

Subdivision 1. **Public camp grounds.** The director may designate suitable portions of the state lands so withdrawn from sale and not reserved, as provided in section 92.45, as permanent state public camp grounds and cause the same to be surveyed and platted into lots of convenient size, and may lease and let such lots for cottage and camp purposes under such terms and conditions as he may prescribe. No lease shall be made for a longer term than ten years, with the privilege of renewal, from time to time, for additional terms of not to exceed ten years each. All moneys received from these leases of state lands so withdrawn from sale shall be credited to the fund to which the proceeds of the land belong.

Subd. 1a. **Termination of leasing.** Effective May 22, 1973, no new leases shall be made pursuant to subdivision 1. In any case where substantial improvements have been made to land leased pursuant to subdivision 1, the commissioner shall require the lessee to comply with applicable county ordinances for the management of shoreland areas and shall cancel any lease for non-compliance with these standards except those sub-standard uses authorized by the county ordinance.

Subd. 2. [Repealed, 1975 c 353 s 41]

History: *1923 c 430 s 12,13; 1973 c 479 s 3 (6464, 6465)*

92.461 PEAT LANDS.

Subdivision 1. **Peat lands withdrawn from sale.** All lands now or hereafter owned by the state which are chiefly valuable by reason of deposits of peat in commercial quantities are hereby withdrawn from sale.

Subd. 2. **Examination by commissioner of natural resources.** Before any state land is offered for sale the commissioner of natural resources shall cause such land to be examined to determine whether the land is chiefly valuable by reason of deposits of peat in commercial quantities.

History: *1935 c 322; 1949 c 453 s 1,2; 1969 c 1129 art 10 s 2 (6433-1, 2)*

92.47 [Repealed, 1963 c 567 s 6]

92.48 [Repealed, 1963 c 567 s 6]

92.49 [Repealed, 1963 c 567 s 6]

92.50 UNSOLD LANDS SUBJECT TO SALE MAY BE LEASED.

Subdivision 1. The commissioner of natural resources may, at public or private vendue and at such prices and under such terms and conditions as he may prescribe lease any state-owned lands under his jurisdiction and control for the purpose of taking and removing sand, gravel, clay, rock, marl, peat, and black dirt therefrom, for storing thereon ore, waste materials from mines, or rock and tailings from ore milling plants, for roads or railroads, or for any other uses not inconsistent with the interests of the state. No such lease shall be made for a term to exceed ten years, except in the case of leases of lands for storage sites for ore, waste materials from mines, or rock and tailings from ore milling plants, or for the removal of peat, which may be made for a term not exceeding 25 years, provided that such leases for the removal of peat shall be approved by the executive council. All such leases shall be made subject to sale and leasing of

county, permanent or temporary easements for specified periods or otherwise for highways, roads and trails, flowage for development of fish and game resources, stream protection, flood control, and necessary appurtenances thereto.

History: *Ex1967 c 21 s 2*

282.018 TAX-FORFEITED LAND; MEANDERED LAKES; SALE; EXCEPTION.

All land which is the property of the state as a result of forfeiture to the state for nonpayment of taxes, regardless of whether the land is held in trust for taxing districts, and which borders on or is adjacent to meandered lakes and other public waters and watercourses, and the live timber growing or being thereon, is hereby withdrawn from sale except as hereinafter provided. The authority having jurisdiction over the timber on any such lands may sell the timber as otherwise provided by law for cutting and removal under such conditions as the authority may prescribe in accordance with approved, sustained yield forestry practices. The authority having jurisdiction over the timber shall reserve such timber and impose such conditions as the authority deems necessary for the protection of watersheds, wildlife habitat, shorelines, and scenic features. Within the area in Cook, Lake, and St. Louis counties described in the Act of Congress approved July 10, 1930 (46 Stat. 1020), the timber on tax-forfeited lands shall be subject to like restrictions as are now imposed by that act on federal lands.

Of all tax-forfeited land bordering on or adjacent to meandered lakes and other public waters and watercourses and so withdrawn from sale, a strip two rods in width, the ordinary high-water mark being the water side boundary thereof, and the land side boundary thereof being a line drawn parallel to the ordinary high-water mark and two rods distant landward therefrom, hereby is reserved for public travel thereon, and whatever the conformation of the shore line or conditions require, the authority having jurisdiction over such lands shall reserve a wider strip for such purposes.

Any tract or parcel of land which has less than 50 feet of waterfront may be sold by the authority having jurisdiction over the land, in the manner otherwise provided by law for the sale of such lands, if the authority determines that it is in the public interest to do so. If the authority having jurisdiction over the land is not the commissioner of natural resources, the land may not be offered for sale without the prior approval of the commissioner of natural resources.

History: *1973 c 369 s 1*

NON-CONSERVATION AREA

282.02 LIST OF LANDS OFFERED FOR SALE.

Immediately after classification and appraisal of the land and, in the case of timbered land, after approval of the appraisal of the timber by the commissioner of natural resources, the county board shall provide and file with the county auditor a list of parcels of land to be offered for sale. This list shall contain a description of the parcels of land and the appraised value thereof; provided that the description and appraised value may be omitted in the discretion of the county board. The auditor shall publish a notice of the forfeiture and intended public sale of such parcels of land and a copy of the resolution of the county board fixing the terms of the sale, if other than for cash only, by publication once a week for two weeks in the official newspaper of the county, the last publication to be not less than ten days previous to the commencement of the sale. A notice in substantially the following form shall be sufficient:

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

Commissioner's Order No. _____

ESTABLISHING A WILDLIFE MANAGEMENT AREA ON BLACK BAY,
KOOCHICHING AND ST. LOUIS COUNTIES

Pursuant to authority vested in me by law, I, Joseph N. Alexander, Commissioner of Natural Resources, hereby establish the following described area as the Black Bay Wildlife Management Area:

> All water areas of Rainy Lake contained within the shoreline of Rainy Lake and located within Sections 7 and 18, Township 70 North, Range 21 West of the Fourth Principal Meridian, and within Sections 12, 13, and 24 in Township 70 North, Range 22 West of the Fourth Principal Meridian. All islands within the above water areas of Rainy Lake which are separated from the shorelines by distinct channels also are included in the management area.

Regulations relating to the public use of wildlife management areas set forth in Commissioner's Order No. 1961 shall apply to the use of the Black Bay Wildlife Management Area except that motorized watercraft of any size shall be permitted.

Dated at Saint Paul, Minnesota, this _____ day of _____, 1980.

_____
JOSEPH N. ALEXANDER, Commissioner
Department of Natural Resources

APPROVED AS TO FORM AND EXECUTION

WARREN SPANNAUS
Attorney General

_____
C. PAUL FARACI
Deputy Attorney General

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

COMMISSIONER'S ORDER NO. 1961

REGULATIONS RELATING TO THE PUBLIC USE
OF WILDLIFE MANAGEMENT AREAS,
SUPERSEDING COMMISSIONER'S ORDER NO. 1948

Pursuant to authority vested in me by law, I, Robert L. Herbst, Commissioner of Natural Resources, prescribe the following regulations relating to the use of wildlife management areas, including lakes and streams therein.

No use shall be made of any state-owned wildlife management area except in accordance with the following regulations:

Section 1. Entry and use.

(a) Those parts of wildlife management areas posted "STATE GAME REFUGE - NO TRESPASSING" or "WILDLIFE SANCTUARY - NO TRESPASSING" shall not be entered except as authorized by an agent of the Commissioner.

(b) No part of any wildlife management area may be entered or used during the hours 10:00 P.M. to 5:00 A.M. if so posted at the major access points.

Sec. 2. Hunting and trapping.

(a) Protected wild animals may be taken on wildlife management areas by hunting or trapping during the established seasons therefore in the zones in which they are located unless the wildlife management area is specifically closed by Commissioner's Order. Upon request by an agent of the Commissioner, all persons shall report animals taken on wildlife management areas and submit them for inspection.

(b) Unprotected wild animals may be taken on wildlife management areas from September 1 through the last day in February unless the wildlife management area is specifically closed by Commissioner's Order. Nuisance animals may be controlled under permit issued by a wildlife manager.

Sec. 3. Commercial fishing.

The taking of minnows and other live baits for commercial purposes may be allowed only under permit from the wildlife manager and only on wildlife management areas over 2000 acres in size.

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Sec. 4. Watercraft.

Use of motorized watercraft is permitted only on the following Wildlife Management Areas except where posted otherwise by agents of the Commissioner:

(a) In the Gores Wildlife Management Area (Mississippi River Pool 3, Dakota and Goodhue Counties) motorized watercraft may be used without limitation on size.

(b) In the Lac Qui Parle Wildlife Management Area (Big Stone, Chippewa, Lac Qui Parle, and Swift Counties) motorized watercraft may be used without limitation on size.

(c) In the Mud-Goose Wildlife Management Area (Cass County) motorized watercraft powered by motors of 10 horsepower or less may be used except during the waterfowl season.

(d) In the Orwell Wildlife Management Area (Ottertail County) motorized watercraft powered by motors of 10 horsepower or less may be used.

(e) In the Roseau River Wildlife Management Area (Roseau County) motorized watercraft may be used in the main channel of the Roseau River. Motorized watercraft powered by motors of 10 horsepower or less may be used elsewhere on this management area during the waterfowl season only.

(f) In the Talcot Lake Wildlife Management Area (Cottonwood and Murray Counties) motorized watercraft may be used on Talcot Lake except during the waterfowl season. Such watercraft are not permitted on the river and marshes.

(g) In the Thief Lake Wildlife Management Area (Marshall County) motorized watercraft powered by motors of 10 horsepower or less may be used.

(h) In the Walnut Lake Wildlife Management Area (Faribault County) motorized watercraft powered by motors of 10 horsepower or less may be used in that portion of the area known as South Walnut Lake.

Sec. 5. Vehicles

(a) Regulations in this Section do not pertain to Federal, State or County highways or Township roads.

(b) No person shall operate an all-terrain vehicle, hang glider, air boat, or hover craft in a wildlife management area. No person shall operate a snowmobile in any wildlife management area without the written permission of the wildlife manager in charge thereof in that part of the state lying south and west of a line described as follows: U. S. Highway No. 2 from East Grand Forks easterly to Bemidji; thence southerly along U. S. Highway No. 71 to Wadena; thence easterly along U. S. Highway No. 10 to Staples and U. S. Highway No. 210 to Carlton; thence east in a straight line to the easterly boundary of the state.

(c) Motor vehicles may be operated on the following wildlife management areas, but not in excess of 20 mph. They may be operated only on established roads, and no vehicle may be driven beyond a sign prohibiting vehicular use or beyond any man-made vehicle barrier.

1. Carlos Avery Wildlife Management Area (Anoka and Chisago Counties)

2. Hubbel Pond Wildlife Management Area (Becker County)

3. Mille Lacs Wildlife Management Area (Kanabec and Mille Lacs Counties)

4. Red Lake Wildlife Management Area (Beltrami County)

5. Roseau River Wildlife Management Area (Roseau County)

6. Thief Lake Wildlife Management Area (Marshall County)

(d) Vehicles are prohibited on all other wildlife management areas except they may be operated, not in excess of 20 mph, on those routes designated by signs as being for travel purposes.

(e) No vehicle shall be parked where it obstructs travel.

Sec. 6. Aircraft.

Unauthorized use of aircraft below 1000 feet AGL (above ground level) over a wildlife management area is prohibited except in emergencies.

Sec. 7. Firearms and target shooting.

Target, trap, skeet, or promiscuous shooting is prohibited.

Sec. 8. Disorderly conduct.

Obnoxious behavior or other disorderly conduct is prohibited.

Sec. 9. Disposal of waste and abandonment of property.

Disposal or abandonment of garbage, trash, spoil, sludge, rocks, vehicles, or other debris or personal property on any wildlife management area is prohibited. Boats, decoys, and other equipment must not be left unattended overnight except traps on those wildlife areas open to trapping.

Sec. 10. Destruction or removal of property.

Signs, posts, fences, buildings, trees, shrubs, vines, plants, or other property may not be destroyed or removed except that marsh vegetation may be used to build blinds on the area, and edible and decorative portions of plants (except wild rice) may be picked for personal use. Wild rice may not be harvested unless the area is specifically opened by commissioner's order.

Sec. 11. Private property or structures.

No person shall construct or maintain any building, dock, fence, billboard, sign, or other structure on any wildlife management area, except that duck blinds may be erected but shall not become private property or be used to preempt hunting rights. It is unlawful to construct, occupy or use any elevated scaffold or other elevated device for the purpose of hunting, watching for or killing big game, except that portable tree stands may be used for this purpose provided they are removed each day at the close of hunting hours and do no permanent damage to trees in which they are placed.

Sec. 12. Private operations.

Soliciting business, agricultural cropping, beekeeping or conducting other commercial enterprises on any wildlife management area is prohibited except by lease agreement.

Sec. 13. Introduction of plants or animals.

Plant and animal life taken elsewhere shall not be released, placed, or transplanted on any wildlife management area except as approved by the wildlife manager.

Sec. 14. Animal trespass.

Livestock, horses, and other domestic animals, except dogs being used for hunting purposes, shall not be permitted on wildlife management areas except under cooperative agreement or permit prepared by the wildlife manager.

Sec. 15. Camping.

No person shall camp on any wildlife management area except by permit or in designated areas during the hunting season.

Sec. 16. Other compatible uses.

Wildlife management areas may be used for hiking, wildlife observation, sport fishing, and other wildlife-related uses provided such uses are not inconsistent with sections 1 through 15 of this order.

Sec. 17. These regulations do not apply to persons engaged in official Department of Natural Resources operations or research projects approved by the Department of Natural Resources.

Sec. 18. Commissioner's Order No. 1948 is hereby superseded.

Dated at Saint Paul, Minnesota, this 24TH day of SEPTEMBER, 1976.

ROBERT L. HERBST, Commissioner
Department of Natural Resources

APPROVED AS TO FORM AND EXECUTION

WARREN SPANNAUS
Attorney General

C. Paul Faraci

C. PAUL FARACI
Deputy Attorney General
Department of Natural Resources

STATE OF MINNESOTA

DEPARTMENT OF NATURAL RESOURCES

COMMISSIONER'S ORDER NO. 1938

REGULATIONS RELATING TO THE DESTRUCTION OR CONTROL OF GROWTH OF AQUATIC PLANTS, ALGAE, SNAILS, LEECHES AND OTHER INVERTEBRATE AQUATIC LIFE IN PUBLIC WATERS, INCLUDING GUIDELINES FOR ISSUANCE OF PERMITS, CRITERIA FOR ISSUANCE OF LICENSES TO COMMERCIAL APPLICATORS AND OPERATORS' PERMITS, AND ESTABLISHING A PERMIT FEE SCHEDULE, SUPERSEDING COMMISSIONER'S ORDER NO. 1850.

Pursuant to authority vested in me by law, I, Robert L. Herbst, Commissioner of Natural Resources, hereby prescribe the following regulations governing destruction or control of growth of aquatic plants, algae, snails, leeches, and other invertebrate life in public waters.

Section 1. GENERAL.

(a) Authority. The ownership of aquatic vegetation and organisms growing in the public waters of the state is in the state in its sovereign capacity for the benefit of all the people. Such vegetation and organisms may not be gathered, harvested, transplanted, or destroyed without a permit from the Commissioner of Natural Resources. Minnesota Statutes, Section 98.48, subdivision 9, authorizes the Commissioner to establish fees for such permits, and to establish standards and criteria for their issuance or denial.

(b) Policy and Intent. The intent of these regulations and the policy of the Department of Natural Resources is to provide maximum protection of fish and wildlife populations and aquatic ecosystems while allowing control of aquatic nuisance conditions where these conditions are interfering with swimming, boating, other water-based recreation, and other beneficial uses of public waters. Although destruction of aquatic vegetation, snails, and leeches by chemical or mechanical methods in public waters is not promoted by the Division of Fish and Wildlife, it is recognized that serious nuisance conditions do occur. Service to the public to facilitate control of these nuisances will be provided to the maximum extent of facilities and to the extent that control will provide maximum recreational or other beneficial use of public waters without significant damage to fish and wildlife populations and lake ecosystems.

(c) Definitions. Words used in these regulations have the meanings normally ascribed to them except:

(1) "Field inspection" means an on-site determination by Department of Natural Resources personnel of relevant characteristics of a proposed treatment area.

(2) "Monitoring" means checking by DNR personnel on the status, progress, or efficacy of activities authorized by permit and observing control operations being done under permit.

(3) "Aquatic nuisance" means presence of leeches, snails (swimmer's itch), or growth of aquatic vegetation and algae in such numbers or such abundance as to interfere with boating, swimming, or other aquatic recreation and other beneficial water uses.

(4) An "excessive algae bloom" is characterized by some or all of the following:

(aa) Algae population is dominated by blue-green algae.

(bb) Secchi disc reading is typically two feet or less and in severe cases may be less than four inches.

(cc) Floating mats or scums of algae accumulated on the downwind shore.

(dd) Decomposition of accumulated algae releasing a blue-green pigment and causing an offensive odor.

(5) A "dense growth" of submerged vegetation is considered to be where the vegetation occurs at ninety percent (90%) or more of sampling stations within a proposed treatment area and has an average recovery of three or more, when percent occurrence and average recovery are determined according to the method described by Jessen and Lound in Game Investigational Report No. 6, Minn. Dept. of Conservation (1962), the original filed in the Office of the Director of Fish and Wildlife, Saint Paul, Minnesota.

(6) Littoral area means any part of a lake less than 15 feet deep.

(d) Severability. The provisions of these regulations shall be severable and the invalidity of any numbered or lettered paragraph, subparagraph, or subdivision thereof shall not invalidate any other part.

(e) When Permit Required. No person shall in public waters:

(1) Cut or pull aquatic vegetation, except as allowed by Section (f); or

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(2) Apply herbicides or other chemicals; or

(3) Destroy or prevent the growth of aquatic plants or invertebrate life by any other means,

without first having obtained an aquatic nuisance control permit from the Commissioner of Natural Resources. Application for such permit shall be made on forms provided by the Commissioner, to any Department regional office, or to the Department of Natural Resources, Division of Fish and Wildlife, 390 Centennial Building, St. Paul, Minnesota 55155.

(f) When Permit Not Required.

(1) A permit is not required to:

(aa) Cut or pull aquatic plants for the purpose of constructing shooting and observation blinds in amounts sufficient for that purpose.

(bb) Cut or pull aquatic plants, when done by the shore line property owner or his lessee or agent, unless an aquatic nuisance control permit has previously been issued for the same shore line for the same year, in order to:

(i) Maintain a site for swimming or boat docking which site shall not exceed 2,500 square feet in area, and which site shall not extend more than 50 feet along the owners' lake frontage or one-half the length of this lake frontage, whichever is less,

(ii) Maintain a boat channel 15 feet or less in width extending to open water. This 15 feet shall not be in addition to shoreline distance allowed under (i).

(2) Paragraph (f)(1) above does not apply to areas posted by the Commissioner as:

(aa) fish spawning areas; or

(bb) scientific and natural areas; or

(cc) areas for the protection of lotus (Nelumbo lutea) or other kinds of aquatic plants and animals deemed by the Commissioner to need protection.

(3) Such cutting or pulling may be done with power-operated cutters, rakes, and similar equipment which does not significantly alter the cross-section of the public water. It shall not be done with draglines, bulldozers, hydraulic jets, suction dredges, or other power-operated earth-moving equipment.

(4) Such cutting or pulling may only be conducted in the same area each year, unless an aquatic nuisance control permit has been obtained authorizing a change in location.

(5) Any person who cuts or pulls aquatic plants under the authority of this section shall immediately and permanently remove the same from the water.

(6) An aquatic nuisance control permit is not required for the destruction of aquatic vegetation incidental to soil removal or water removal authorized by a Minnesota Department of Natural Resources permit for work in the bed of public water in accordance with Minnesota Statutes, Section 105.42 or 106.21.

Section 2. PERMIT FEES.

(a) Fees to Accompany Permit Applications.

(1) A permit fee, in the form of a check or money order payable to the State Treasurer, shall accompany each permit application when required by the fee schedule.

(2) If the fee does not accompany the application, the applicant will be so notified and no further action will be taken on the application until the proper fee is received.

(3) The fee is not returnable, whether the application is permitted, modified, denied, or withdrawn unless the Commissioner determines the activity does not require a permit.

(4) Application Fee Schedule.

(aa) To control rooted vegetation by chemical means: $5.00 plus $0.10 per shoreline foot of the proposed treatment area. Maximum $50.00.

(bb) To control vegetation in an area larger than 2,500 square feet by cutting or pulling: $5.00.

(cc) To gather or harvest aquatic plants or plant parts, other than wild rice: no charge.

(dd) To transplant aquatic plants into other Minnesota public waters: no charge.

(ee) To control chara, filamentous algae, snails (swimmer's itch), and leeches: $1.00 per 100 shoreline feet or portion thereof proposed to be treated. Maximum $50.00.

(ff) To control algae by lakewide application of copper sulfate or other approved algicide: $5.00 plus $0.10 per acre to be treated. Maximum $50.00.

(gg) When application is made to control two or more nuisance conditions, only the larger fee shall apply.

(b) Fees for Inspection, Supervision and Monitoring.

(1) If field inspection, supervision, or monitoring is required, the applicant or permittee shall be charged $15.00, providing the Commissioner has first notified the applicant of the potential fee, and the applicant has indicated he wishes to continue the application. There will be no more than one such charge per application. This fee is not refundable for any reason.

(2) Supervision by a Department of Natural Resources employee will normally be required for initial lake-wide treatment of excessive algae blooms by inexperienced permittees and will also be required at intervals for such treatments by experienced groups.

(3) Field inspection will normally be made in cases of new applications for chemical treatment of areas one acre or larger in size. Field inspection of other areas will also be required at intervals to determine if conditions have changed.

(c) Fees for State Agencies.

The fees established in these regulations shall not be required of any state agency as defined in Minnesota Statutes, Section 15.011, or of any federal agency.

Section 3. STANDARDS AND GUIDELINES FOR ISSUING AND DENYING PERMITS.

(a) Basic Guidelines.

(1) Aquatic nuisance control permits will be issued in most instances to applicants requesting control of:

(aa) Snails (swimmer's itch).

(bb) Nuisances at established public swimming beaches.

(cc) Dense growths of submerged vegetation interfering with watercraft use or swimming. The species most frequently involved are water milfoil, coontail, curly-leaf pondweed, narrow-leafed pondweeds (several species), bushy pondweed and Canada waterweed.

(dd) Filamentous algae.

(ee) Excessive algae blooms.

(2) Permits will not be issued in most instances where vegetation does not interfere with swimming, boating, or other aquatic recreational activity. Esthetic objections alone are not considered acceptable reasons for control of vegetation.

(3) Permits will only in rare instances be issued for the destruction of emergent and floating-leaf vegetation - in particular, wild rice, bulrush, and lily pads - because such vegetation has a unique function in establishing the gross character of a lake with respect to fish and waterfowl habitat and fisherman and hunter use. Control of bulrush might be allowed in intensive-use areas such as swimming beaches, or control of lily pads might be allowed where the lilies are displacing a wild rice stand, but in most situations, the amount of work that can be done without obtaining a permit (see Section I (f)) should be satisfactory.

(4) Permits shall not be issued for destroying or preventing the growth of vegetation by placing plastic mats or plastic sheets or similar materials on the bottom.

(5) Permits shall not be issued to lake-shore development firms or individuals wishing to improve the appearance of the shore line they wish to market. The intent of this is to avoid giving potential purchasers a false impression of the natural condition of the lake.

(6) Permits shall not be issued except in very rare instances for chemical control of aquatic vegetation in rivers or other flowing waters. The only exceptions shall be where vegetation is present in such abundance as to impede the flow of water and the flow of water is so slight that the chemical will not be carried an appreciable distance beyond the treatment area.

(b) Mechanical Control. When control of vegetation is necessary, and especially in the case of an extensive lake-wide vegetation control program proposed by a lake-shore property owners' association or municipality, mechanical cutting with immediate removal will be encouraged. Cutting with removal is encouraged because this method of vegetation control is immediately effective, is not as destructive to fish and wildlife habitat, involves less hazard to non-target organisms, and (to some extent) removes nutrients.

A lake-wide, organized program of mechanical cutting and removal of vegetation is not restricted in total amount of littoral area, as would be a program of chemical control.

(c) Chemical Control.

(1) The amount of littoral area which may be treated chemically for the control of submerged vegetation shall be a function of the lake's classification established under the shoreland management system (Minnesota Statutes, Section 105.485) and established practices on the lake.

(aa) General Development lakes: 10 percent of the total littoral area and a maximum of 100 feet of shore line per any individual owner.

(bb) Recreation Development lakes: 5 percent of the total littoral area and a maximum of 100 feet shore line per any individual owner.

(cc) Natural Environment lakes and lakes designated by Commissioner's Order as waterfowl feeding and resting areas or wildlife management lakes: no shore line may be treated.

(dd) Larger percentages of the littoral area shall be allowed when they have been authorized in the past by aquatic nuisance control permits. In cases where the application of the 100-foot limit makes this impossible, that limit shall be extended to the extent necessary.

(ee) Two adjacent individual property owners may abut their permitted areas.

(ff) The 100-foot maximum shall not apply to resorts, apartments, or condominium complexes, public swimming beaches, and marinas. In these cases, the Commissioner shall make his determination on an individual basis, taking into consideration the potential amount of treatment that might have been requested had the development been spread out.

(gg) The 100-foot maximum shall not apply to vegetation control programs proposed by property-owners associations, watershed districts, lake-improvement districts, municipalities, or the like. The percentage limitation on littoral area shall apply, but be distributed along the shores as the applicant wishes, so long as spawning areas and protected plants are avoided. This subsection (gg) may also be applied to bay-wide vegetation control programs on lakes such as Lake Minnetonka which are broken into large distinct well-separated bays.

(hh) The 100-foot maximum and the littoral area percentages shall not apply to storm water retention ponds, which for purposes of this exception are defined as those bodies of water, usually 10 acres or less in size, lying within cities, which have as a principal public value the retention of storm water, or which have urban runoff as a major source of water On such lakes, chemical treatment for submerged aquatic vegetation may occur on five acres or one-half the surface area of the pond, whichever is less. There shall be no shore-line limitation per individual property owner.

(2) An application from a property-owners association for lake-wide or bay-wide chemical treatment of submerged vegetation shall include a statement of the plan and a map showing areas to be treated. The amount of littoral area which the applicant will be permitted to treat will be the appropriate (five percent to ten

percent) portion of the littoral area of the lake or bay, reduced by such amount as the Commissioner deems necessary to handle individual applications from riparians with aquatic nuisance problems who are not members of the association. This kind of application and any application for the chemical treatment of submerged vegetation must include the signatures of all property owners whose shore lines will be treated.

(3) An application for lake-wide control of algae must be accompanied by evidence that a majority of the property owners on the lake are in favor of the proposed treatment.

(4) Except in rare instances, no applications for chemical control of aquatic vegetation will be accepted for processing after August 1. Persons applying after August 1 must include a letter of justification.

(5) The Commissioner shall not issue a permit for chemical treatment of waters used by humans for drinking unless he first obtains approval from the Minnesota Department of Health.

(6) Only chemicals registered with the United States Environmental Protection Agency (EPA) as aquatic herbicides or algicides and registered with the Minnesota Department of Agriculture and approved for use in public waters by the Minnesota Department of Natural Resources may be used for chemical control of aquatic vegetation or algae in public waters; except that permits may be granted for experimental use of unregistered chemicals in a bona-fide experimental program under an experimental use permit from the EPA and/or the Minnesota Department of Agriculture.

(7) Instructions and precautions furnished with a herbicide by the manufacturer and by the Department of Natural Resources shall be followed when applying it or using the treated area after application. Chemically-treated areas shall be posted with signs furnished by the Department of Natural Resources bearing the permit number and name of chemical used and stating the date of treatment and dates at which water from the treated area may be safely used for swimming, fishing and other uses as specified on the product label or by the Department of Natural Resources. When differences in instructions exist, Department of Natural Resources' recommendations shall be followed.

(8) Any chemical deemed especially hazardous by the Commissioner may be applied only by a holder of a valid Custom Pesticide Applicator's License.

Section 4. COMMERCIAL APPLICATORS AND OPERATORS.

(a) Chemical Applicators. No person, persons, or firm shall apply chemicals of any kind for hire for aquatic nuisance control unless he first has a Custom Pesticide Applicator's License from the Minnesota Department of Agriculture. Issuance of a Custom Pesticide Applicator's License is contingent upon determination by the Commissioner of Natural Resources that the applicant has

adequate equipment and knowledge and has passed the examination prescribed and written by the Department of Natural Resources and administered by the Department of Agriculture. Application for such examination is made to the Division of Agronomy Services, Minnesota Department of Agriculture, State Office Building, St. Paul, Minnesota 55155. The Custom Pesticide Applicator's License for aquatic nuisance control will be endorsed by the Minnesota Department of Natural Resources before issuance by the Department of Agriculture.

(b) Non-Chemical Operators. No person, persons, or firm shall cut, pull, or remove aquatic vegetation by other non-chemical methods for hire on public waters unless he has an Aquatic Operator's Permit issued by the Department of Natural Resources. Issuances of an Aquatic Operator's Permit is contingent upon determination by the Commissioner that the applicant has adequate equipment and knowledge to properly control aquatic vegetation in public waters. This subdivision does not apply to persons or firms using power-operated earth-moving equipment in public waters under terms of permits issued by the Minnesota Department of Natural Resources for work in the bed of public waters in accordance with Minnesota Statutes, Section 105.42 or 106.021.

Section 5. PENALTIES, REPORTING, LIABILITY.

(a) Annual Report. The holder of an Aquatic Operator's Permit, Custom Pesticide Applicator's License, or Aquatic Nuisance Control Permit shall, no later than November 15 of each year, report to the Commissioner of Natural Resources on forms furnished by him such information on aquatic nuisance control operations as may be required for statistical purposes. Failure to report shall be grounds for refusing to reissue the permit.

(b) Treatment Notice. Each holder of an Aquatic Nuisance Control Permit or his agent shall give notice of the proposed date of treatment to those persons specified on the permit, which notification shall be received prior to beginning any work under the permit. Failure to give notice shall be grounds for revocation of any permit or refusal to reissue the same. Notification is not required for cutting or pulling vegetation without a permit under Section I (f) of these regulations.

(c) Revocation. The Commissioner may revoke any Aquatic Operator's Permit or Aquatic Nuisance Control Permit without prior notice whenever, in his opinion, it is necessary to protect the interests of the public, or to protect human life, or to protect fish and wildlife, or for violation of the terms and conditions of permits or these rules and regulations.

(d) Penalties. Violation of any other terms of these rules and regulations is subject to the penalties specified in Minnesota Statutes, Section 97.55, subdivision 1.

(e) Liability of State. Any permit issued under the provisions of this Order is permissive only and no liability shall be incurred by the State or by any of its officers, agents or employees by reason of the issuance of such permit or by reason of any acts or operations of the permittee. The permittee shall be solely responsible for any damage or injury to persons, domestic or wild animals, waters, or property, real or personal of any kind, resulting from the permittee's acts or operations, and at all times, the State of Minnesota, its officers, agents, and employees shall be held harmless from any liability for such damage or injury.

(f) Disclaimer. The State of Minnesota does not guarantee the effectiveness of any particular chemical, endorse any chemical or formulation, or enter into any disputes between manufacturers and applicators of chemicals and persons who have financed aquatic nuisance control jobs.

Section 6. REVIEW OF PERMIT DECISIONS.

If the permit is granted with conditions, or is denied, the applicant may, within 30 days after mailed notice thereof, file with the Commissioner of Natural Resources a demand for review of the application. If no demand for review is made within the 30 days, the permit decision becomes final.

Section 7. Commissioner's Order No. 1850 is hereby superseded.

Dated at Saint Paul, Minnesota, this 6th day of January, 1976.

ROBERT L. HERBST, Commissioner
Department of Natural Resources

APPROVED AS TO FORM AND EXECUTION
WARREN SPANNAUS
Attorney General

C. PAUL FARACI
Deputy Attorney General
Department of Natural Resources

COOPERATIVE AGREEMENT
BETWEEN VOYAGEURS NATIONAL PARK
AND
MINNESOTA'S DEPARTMENT OF NATURAL RESOURCES

This Cooperative Agreement is between Voyageurs National Park represented by its Superintendent and hereafter referred to as V.N.P., and the Minnesota Department of Natural Resources represented by its Commissioner and hereafter referred to as the D.N.R.

WHEREAS, under the laws of the State of Minnesota the D.N.R. protects and manages natural resources within the state, and carries out actions to accomplish this purpose:

WHEREAS, under laws and treaties passed by the U.S. Congress, V.N.P. is directed to preserve, for present and future generations, examples of the natural environments and native biota of the park, and to carry out actions to accomplish this purpose:

WHEREAS, the Minnesota State Legislature encouraged and concurred with the authorization and purpose of V.N.P., cooperation between V.N.P. and the D.N.R. to accomplish the park's purpose is appropriate, and serves both state and national interests.

NOW, THEREFORE, V.N.P. and the D.N.R. mutually agree:

1. To coordinate their administrative, research and management actions that influence the natural resources and public use of the park.

2. To encourage and facilitate appropriate research on the natural resources and public use of the park.

3. To exchange information on the natural resources and public use of the park.

4. To cooperate to the extent possible and appropriate in joint actions on fire protection, law enforcement, fish or wildlife control, protection of rare, threatened, or endangered species and restoration of native fauna in the park.

5. To enter into working arrangements for the use of lands, buildings, and other facilities owned and operated by either party hereto to the extent possible and document these uses through appropriate permits.

6. To enter into supplemental agreements to this Cooperative Agreement as necessary.

7. To make joint press releases when appropriate.

8. To meet jointly at least once annually before April 30, to review progress under this Cooperative Agreement and to provide for other meetings at various administrative levels for discussion of other relevant matters.

9. That nothing contained herein shall be construed as obligating either party hereto to the expenditure of funds or for the future payment of money in excess of appropriations authorized by law.

10. That nothing contained herein shall be construed as limiting in any way the responsibility and authority as defined by law, of the Commissioner of the Minnesota Department of Natural Resources and the Superintendent of Voyageurs National Park in connection with the administration and protection of resources under their respective administrations.

11. That this Cooperative Agreement shall become effective when signed by the parties hereto and shall continue in force for five (5) years or until terminated by mutual agreement, or by either party upon sixty (60) days' written notice to the other of the intention to do so. Amendments to this Cooperative Agreement may be proposed by either party and shall become effective upon written approval by both parties.

12. No member of, or delegate to Congress, or Resident Commissioner, shall be admitted to any share or part of this Cooperative Agreement or to any benefit to arise therefrom, unless it is made with a corporation for its general benefit.

IN WITNESS WHEREOF, the parties hereto have executed this Cooperative Agreement as of the date last signed below.

Date: June 1, 1979 By _____
Voyageurs National Park
Superintendent

Date: Aug 2-79 By _____
Minnesota Department of
Natural Resources
Commissioner

88-974 O—82——6

Senator WALLOP. I have a couple of questions which will fall within the time limit. The first is, is the establishment of the wildlife area to be accomplished administratively or by an act of the Minnesota legislature?

Mr. ALEXANDER. This is done administratively by me. I have the commission order prepared and ready, and it will be implemented immediately upon completion.

Senator WALLOP. I presume there is an order to change that which would require another commissioner in the process of the Minnesota law? I'm talking about, you're here, you've been part of the negotiations. What about the next guy? What flexibility does he have?

Mr. ALEXANDER. Very little. We would continue anything that we change in there to work in cooperation with Voyageur National Park and its various committees.

Senator WALLOP. You're saying then it would be an addition to your administrative order setting up the wildlife management that there would be implicit in that a cooperative agreement designed with the Park Service?

Mr. ALEXANDER. Yes. We already have such an agreement already signed, and this would be a part of that also.

Senator WALLOP. Would you object to the inclusion of a reverter in the legislation making clear that if the deleted lands and waters in and around Black Bay are ever used for purposes other than the wildlife management areas, such lands would revert back to Federal?

Mr. ALEXANDER. I think we would object to a reversionary clause or something like that. I think what we're trying to do here is establish some trust between State government and Federal Government. We've had some difficulty with that in the past few years, and I don't believe a reversionary clause is necessary. I think some of the rulings have come down that if something happens in violation of the intended purposes of the park that Federal Government will have some control anyway.

Our legislature would address any inconsistencies that we might have and I think there has to be some trust between the Federal Government and the State.

Senator WALLOP. In most places I don't quarrel with that, however accidental its inclusion may have been, anytime, well, it was included, and anytime one starts talking about removing lands from national parks then you have a national obligation as well as local obligation. I don't think you want to imply any distrust in either you or the State of Minnesota, but the public has some interest in maintaining the quality, and I appreciate what your statement is as well.

We'll have some other questions; if you don't object we'll submit them to you by mail. Thank you very much.

[Subsequent to the hearing Mr. Alexander supplied the following:]

STATE OF
MINNESOTA
DEPARTMENT OF NATURAL RESOURCES
CENTENNIAL OFFICE BUILDING • ST. PAUL, MINNESOTA • 55155

OFFICE OF THE
COMMISSIONER
(612) 296-2549

November 10, 1981

The Honorable Malcolm Wallop
U. S. Senator
204 Russell Senate Office Building
Washington, D. C. 20510

Dear Senator Wallop:

As you requested in your letter of October 30, 1981, I have prepared answers to the following questions concerning S.625, the bill to revise the boundary of Voyageurs National Park.

1. WHY SHOULD THE ISLANDS IN BLACK BAY BE REMOVED FROM THE PARK?

   The total area of these islands is extremely small - less than 27 acres. They are not useful for any park management purpose nor do they contain any significant natural features or plant or animal communities. Once out of the park they will not be unmanaged. On the contrary, they will be managed as part of the state wildlife management area. On the other hand, if they were left in the park the same hunting restrictions which created and fueled the controversy would still exist and so would the problem. Only by removing the entire area, including the islands, can the problem be solved.

2. WHERE, EXACTLY, WILL THE NEW PARK BOUNDARY BE IN THE EASTERN END OF BLACK BAY (i.e. THE AREA TO BE DELETED?)

   The same place it is in the many other parts of the park which are bounded by water -- the water's edge. Any other standard would be practically unenforceable. The original 1968 act authorizing Voyageurs (16 U.S.C.A. Sec. 160a) merely stated "the park shall include the lands and waters within the boundaries generally depicted on the drawing entitled 'A Proposed Voyageurs National Park, Minnesota', numbered LNPMW-VOYA-1001, dated February 1969...." The referenced drawing does not contain elevations or any specific written boundary description. Since this sort of description has not proven to be a significant problem elsewhere, such as Lake Kabetogama where the water levels

are regulated by the dam at Kettle Falls, there is no reason to believe it will be a problem here. For the record, we believe this bill will delete all the water areas of Rainy Lake contained within the shoreline of Rainy Lake and located within Sections 7 and 18, Township 70 North, Range 21 West of the Fourth Principal Meridian, and within Sections 12, 13 and 24 in Township 70 North, Range 22 West of the Fourth Principal Meridian, as well as all islands within the above water areas which are separated from the shorelines by distinct channels.

Of course the water level fluctuates somewhat, but in all cases where the State donated land for the Park, and probably in all or nearly all other acquisitions as well, the boundary runs to the natural ordinary low water mark. As a result, it is very unlikely that a dispute would ever arise over the status of a strip of land along the shore during low water periods since the exposed land would belong to the park.

3. WILL THE RAT ROOT RIVER BE INCLUDED IN DNR'S MANAGEMENT PLAN FOR BLACK BAY?

Generally no. However, as I mentioned in my statement before the subcommittee (a copy of which is attached), I will continue to take special measures to protect spawning walleyes in the Rat Root River and Rat Root Lake. Furthermore, sale of state and county lands along the river is prohibited by law. Minn. Stat. Secs. 92.45 and 282.018 (1980). Finally, under our general forest management policies clearcutting along the shoreline will not be allowed.

4. WHERE DOES THE RAT ROOT RIVER BEGIN AND BLACK BAY END?

Obviously that is not a precise line. For some purposes the State's management plan may extend further than for other purposes but as a minimum the plan will cover the area as far south as the south boundary of Section 13 of Range 23 West and Section 18 of Range 22 West (both in Twp. 70 N.).

5. WHAT KINDS OF INTERESTS IN THE LANDS AT THE KABETOGAMA RANGER STATION AND WITHIN THE SULLIVAN BAY ACCESS CORRIDOR WILL THE STATE TRANSFER TO THE PARK SERVICE?

As I mentioned during the subcommittee hearing, the State originally donated over 36,000 acres of land to the United

States. This transfer was in fee and cost the State almost $6 million dollars. As such it required special legislative authorization. I do not believe it is necessary or desirable to take that same approach for the lands at the Kabetogama Ranger Station and within the Sullivan Bay access corridor. I have adequate statutory authority to convey a permanent easement for road purposes, including a 400-foot buffer strip on either side of the road itself. (Totally about 120 acres.) Minn. Stat. Sec. 84.63 (1980). The State will not charge the Park Service for this easement. So far as the Ranger Station is concerned, I have authority to lease it for up to ten years and to subsequently renew that lease for additional periods of ten years. Minn. Stat. Sec. 92.50 (1980). I must charge rent for such a lease but since an adjustment will be made for some continued use of the site by the State and the county sheriff, the rent will undoubtedly be quite low.

6. WILL THE WILDLIFE MANAGEMENT AREA COVER ANY MORE THAN THE PART OF BLACK BAY TO BE DELETED FROM THE PARK?

No. The rest of the bay will be covered by a management plan including, but not necessarily limited to, the items I described in my statement to the subcommittee.

7. WILL HUNTING, OTHER THAN DUCK HUNTING, OR TRAPPING BE ALLOWED IN THE BLACK BAY WMA?

Yes, unless I close the area to certain kinds of hunting or trapping by order. I would consider taking such actions if necessary to protect wildlife populations from serious depredation or to cooperate with park management to solve other specific problems.

8. WILL YOU SUPPORT THE BILL IF THE PROVISION FOR INCREASED LAND ACQUISITION FUNDING IS DELETED?

Yes, although I am extremely concerned about this question. There must be enough money available for the Park Service to buy out those remaining private landowners in the park who want out. Not to address this problem would work a serious hardship since the use of their lands is significantly restricted.

9. DOES THE STATE OF MINNESOTA SUPPORT THE AMENDMENTS TO S. 625 SUGGESTED BY THE DEPARTMENT OF THE INTERIOR?

Yes, with the exceptions of (1) the reservations expressed in my statement to the subcommittee about the adequacy of funds for land acquisition and (2) the reference to the "purposes for which the park was authorized". In respect to the latter point, I have already expressed my concern in some detail to Senator Durenberger in a letter dated October 12, 1981, a copy of which is attached.

Thank you for the opportunity to address these issues. If I can be of any further assistance, please don't hesitate to contact me.

Yours truly,

Joseph N. Alexander

Joseph N. Alexander
Commissioner

Attachments

Senator WALLOP. The next is Mr. Don Parmeter, executive director of the Citizens' Committee on Voyageurs National Park.

STATEMENT OF DON PARMETER, EXECUTIVE DIRECTOR, CITIZENS' ADVISORY COMMITTEE ON VOYAGEURS NATIONAL PARK, INTERNATIONAL FALLS, MINN.

Mr. PARMETER. Thank you, Mr. Chairman. My name is Don Parmeter, I'm executive director of the Citizens' Advisory Committee on Voyageurs National Park.

Like other advisory committees of the National Park System we are independent of the Park Service and the Federal Government. We were established and are funded solely by the state of Minnesota and all members are appointed either by the governor or by the State legislature. Our responsibility by law is to look into all matters regarding the establishment and operation of Voyageurs National Park, and to make appropriate recommendations to the National Park Service and other Federal and State agencies. Our membership is comprised of a broad cross-section of State citizens representing different geographical areas, occupations, and philosophical viewpoints. And I think over the past 6 years we have earned the reputation for being both fair and reasonable in our approach to park issues.

The committee strongly supports S. 625, primarily because we see it as a problem solving bill. It serves to solve a number of difficult problems without creating new ones of which we are aware. I think this bill is long overdue and any unnecessary delay will only result in corresponding delays in implementing plans for park operation and development.

Citizens organizations, agencies and legislators have put a great deal of time and effort into the formulation of this legislation of Voyageurs and I think the result represents a fair and logical approach to resolving many of the remaining problem areas that are inhibiting progress toward the proper development of the park.

The bill addresses the critical questions of park access, development and management in a positive and constructive way and I am prepared, or was prepared to address the specifics of each of the provisions, but I know there are other witnesses and most of these have been addressed adequately by previous witnesses.

I would like to say briefly that the conditions placed on the removal of the thousand acres of Black Bay I think represents a logical and reasonable approach to this longstanding issue. First of all a designation of the areas of State and wildlife management will insure its continued protection, but moreover, the management plan will result in a management effort for the additional 4,500 acres. From a management standpoint it will provide boundary that is consistent with the shoreline boundaries to the north and addresses the entire 5,500 acres bay as a single management unit.

With respect to the funding authorization for land acquisition, I think this provision will be beneficial to both the National Park Service and the remaining land owners within the park. I think it is essential that the Park Service have the means to acquire lands necessary to proceed with the plans for park facilities, and they are identified in the approved land acquisition planned.

It is also essential we think that land owners be given the assurance that if and when they wish to sell their property in the National Park Service, that adequate funds will be available for purposes of purchasing that property.

Finally, the provision that directs the study of access roads to the park, I think addresses one of the most critical problems associated with Voyageurs, and that is the difficulty of access. As a water base park Voyageurs does not require significant Federal commitment for funding roads within park boundaries. However, we feel it is essential that the public be provided with adequate access to the planned development areas of which there are four. This provision in the bill therefore we think would be an important first step in identifying needs and priorities for providing adequate public access.

In summary, Mr. Chairman, we think this legislation is the result of a great deal of effort aimed at solving the existing park problems in a fair, logical and reasonable manner. It addresses the critical problems of access, management and developing the park facilities. It will result, we think, in better cooperation and relations between the local people and the National Park Services and between the State and Federal Government.

And since there is not a large price tag associated with the bill, it is difficult to see a negative side to it. On behalf of the Citizens 'Committee, I therefore urge favorable action on this bill as soon as possible.

I would like to present for the record three recent resolutions passed by our committee on the subject of the bill. The first that was passed over a year ago outlines our general support for the bill and recommends that all proposed changes in park boundaries be conditional upon each other.

The second reaffirms the committee's support for the bill and recommends that no provision be modified or deleted.

The third resolution passed just this past September, recommends that adequate appropriation of funds be made to allow for the necessary acquisition of private lands in the area proposed for addition to the park boundary at Black Bay Narrows.

Mr. Chairman, I thank you for the opportunity to speak.

Senator WALLOP. Thank you very much.

[The prepared statement of Mr. Parmeter follows:]

Citizens' Committee on Voyageurs National Park

201 3rd Street
International Falls, Minnesota 56649
(218) 283-3507

Senate Subcommittee on Public Lands and Reserved Water
Hearing on S.625
October 29, 1981

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CLIFFORD WETMORE
(612) 376-7284

My name is Don Parmeter. I am executive director of the Citizens' Advisory Committee on Voyageurs National Park. I'd like to explain briefly who we are, because we are different than the other advisory committees of the national park system. First and foremost, we are independent of the National Park Service and the federal government. We are funded solely by the state of Minnesota and all members are appointed either by the governor of by the state legislature. Our responsibility by law is to look into all matters regarding the establishment and operation of Voyageurs National Park, and to make appropriate recommendations to the National Park Service and other federal and state agencies. Our membership is comprised of a broad cross-section of state citizens representing different geographical areas, occupations, and philosophical viewpoints. Over the past six years, we have earned a reputation for being both fair and reasonable in our approach to park issues.

The Committee strongly supports S.625, primarily because it serves to solve a number of critical problems without creating new ones of which we are aware. Such a bill is long overdue, and any further delay will only result in corresponding delays in implementing plans for park operations and development. Citizens, organizations, agencies, and legislators have put a great deal of time and effort into the formulation of this legislation for Voyageurs, and the result represents a fair and logical approach to resolving many of the remaining problem areas that are inhibiting progress toward the proper development of the park.

This bill addresses critical problems of park access, development, and management in a positive and constructive way, and I would just like to comment briefly on each of the provisions.

1. Deletion of 780 Acres in the Neil Point Area
This is necessary to prevent adverse environmental consequences associated with dredging in that area. In addition, substantial investment

by private property owners in this area has occured over the past several years. The cost of acquiring lands would therefore be prohibitive and the social disruption of the community would be unacceptable.

2. Addition of 180 Acres in the Black Bay Narrows Area
This is a satisfactory alternative to acquisition and development in the Neil Point area. Less adverse environmental, social, and economic impact will occur in this area. The estimated cost of acquiring lands in the Black Bay Narrows area is about $500,000.00, compared with about 10 times that amount for Neil Point. In addition, this area is preferable from a management standpoint, since it is in closer proximity to the main body of the park.

3. Deletion of Approximately 1,000 Acres in the Eastern Portion of Black Bay of Rainy Lake
Because of confusion and misunderstanding as to the intent of the location of the park boundary in the eastern portion of Black Bay, this issue surfaced in 1973 and has been a major trouble spot ever since. The conditions placed on the removal of this relatively small area of the park represent a logical and reasonable approach to this long-standing issue:

   A. The designation of the area as a state Wildlife Management Area by the Minnesota Department of Natural Resources will ensure its continued protection.

   B. A Management Plan for all of Black Bay will result in management emphasis and direction for an additional 4,500 acres.

   From a management standpoint, this approach makes sense in two respects: (1) It will provide a boundary that is consistent with the shoreline boundary to the north, and (2) It addresses the entire 5,500 acre bay as a single management unit.

4. A lease for the use of the state's ranger station complex on Lake Kabetogama will give the National Park Service a necessary operations and maintenance base in the central portion of the park.

5. A perpetual easement that provides a protective corridor along a 2 mile stretch of roadway into the Kabetogama Narrows Development Area will

guarantee scenic and legal access by the public into one of the most beautiful areas of the park.

6. The proposed increase in funding authorization for land acquisition will be beneficial to both the National Park Service and remaining private landowners within the park. It is essential that the Park Service have the means to acquire lands necessary to proceed with plans for park facilities. It is also essential that landowners be given the assurance that if and when they wish to sell their property, that adequate funds will be available for purchasing that property.

7. The provision that directs a study of access roads to the park addresses one of the most critical problems associated with Voyageurs-difficulty of access. As a water-based park, Voyageurs does not require a significant federal commitment for funding roads within park boundaries. However, it is essential that the public be provided with adequate access to the planned development areas. This provision in the bill therefore is an important first step in identifying needs and priorities for providing adequate public access.

In summary, this legislation is the result of a great deal of effort aimed at solving existing park problems in a fair, logical, and reasonable manner. It addresses the critical problems of access, management, and the development of park facilities. It will result in better cooperation and relations between the local people and the National Park Service, and between the state and federal government. And, since there's not a large price tag associated with the bill, I really don't see a negative side to it. On behalf of the Citizens' Committee, I therefore urge favorable action on this bill as soon as possible.

I would like to present for the record, three recent resolutions passed by the Citizens' Committee on the subject of this legislation. The first resolution, passed over a year ago, outlines our general support for the bill, and recommends that all proposed changes in park boundaries be conditional upon each other. The second resolution reaffirms the Committee's support for the bill and recommends that no provision be modified or deleted. The third resolution, passed just last month, recommends that an adequate appropriation of funds be made to allow for the necessary acquisition of private lands in the area proposed for addition to the park boundary at Black Bay Narrows.

Citizens' Committee on Voyageurs National Park

201 3rd Street
International Falls, Minnesota 56649
(218) 283-3507

RESOLUTION: Voyageurs National Park Legislation

DATE: September 20, 1980

LOCATION: Chippewa Lodge
Lake Kabetogama

CH... N...
TH... S NEWCOME
(612) 227-8281

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(612) 378 7284

BE IT RESOLVED that the Citizens' Committee on Voyageurs National Park supports the legislation on Voyageurs National Park as introduced by Senator Durenberger and Congressman Oberstar, with the following provisions:

1. That a perpetual easement be granted to the National Park Service for the purposes of construction and maintenance of the roadway from the Ash River Trail to the park boundary as opposed to fee acquisition of 120 acres by the Park Service in that area.

2. That 18.45 acres at the Kabetogama Ranger Station be operated by the National Park Service under a lease arrangement as opposed to fee acquisition by the Park Service.

3. That before 782 acres in the Neil Point area can be deleted from the park and 180 acres in the Black Bay Narrows area be added to the park, that it must be also agreed to delete approximately 1,000 acres in the eastern portion of Black Bay from the park.

4. That under Paragraph (2)(iii) of the proposed Congressional Legislation relating to management of state lands riparian to Black Bay and waters, fish and wildlife under its jurisdiction in Black Bay, it will not be deemed inconsistent with park purposes if hunting and fishing is permitted in the entire 5,500 acre area of Black Bay in accordance with state game and fish regulations.

BE IT FURTHER RESOLVED that the Citizens' Committee on Voyageurs National Park recommends that the Minnesota Department of Natural Resources conduct public hearings prior to the establishment of a Management Plan and Wildlife Management Area for any portion of Black Bay.

Citizens' Committee on Voyageurs National Park

201 3rd Street
International Falls, Minnesota 56649
(218) 283-3507

RESOLUTION: Black Bay Legislation

DATE: July 11, 1981

LOCATION: Island View Lodge
International Falls, MN

CHAIRMAN:
RICHARD MOLLIN
(218) 283 3482

VICE CHAIRMAN:
JACK KOCH
(218) 283 2704

SECRETARY:
MRS. JEAN JUELICH
(218) 875 2411

MEMBERS:
REP. IRVIN ANDERSON
(612) 296 8251

OSCAR BERGSTROM
(218) 279 3321

JOHN BOWSER
(218) 993 2287

MRS. ALLA BRASCUGLI
(218) 286 5330

REP. CHARLES HALBERG
(612) 296 4212

CLARENCE HART
(612) 291 1215

WILLIAM HOLES
(612) 251 3622

R. DONALD KELLY
(612) 429 8330

SENATOR CARL KROENING
(612) 296 4302

SENATOR STEVEN LINDGREN
(612) 296 1736

CHARLES MOCK
(218) 749 1490

ED PEARSALL
(218) 749 1534

CLIFFORD WETMORE
(612) 378 7284

WHEREAS: The Citizens' Committee on Voyageurs National Park has by previous resolution supported the Black Bay Legislation introduced as S. 625 and H.R. 846; and

WHEREAS, Senator Durenberger and Congressman Oberstar have reintroduced identical bills in the Senate and House; and,

WHEREAS, The Administration is reported to be opposing those provisions in the proposed legislation which direct a study of access road needs and increased funding authority for land acquisition; and,

WHEREAS, The Citizens' Committee on Voyageurs National Park considers all provisions of the legislation as drafted to be necessary and beneficial to proper development of the Voyageurs National Park.

NOW THEREFORE BE IT RESOLVED that the Citizens' Committee on Voyageurs National Park hereby reaffirms its previous resolution in support of the original Black Bay Legislation and urges that those portions supporting access road studies and additional funds for land acquisition not be modified or deleted.

Citizens' Committee on Voyageurs National Park

201 3rd Street
International Falls, Minnesota 56649
(218) 283-3507

RESOLUTION: Black Bay Legislation

DATE: September 19, 1981

LOCATION: Kettle Falls Hotel

CHAIRMAN:
RICHARD MOLLIN
(218) 283 3482

VICE CHAIRMAN:
JACK KOCH
(218) 283 3706

SECRETARY:
MRS. JEAN JUELICH
(218) 875 2411

MEMBERS:
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CLIFFORD WETMORE
(612) 376 7284

The Citizens' Committee on Voyageurs National Park wishes to go on record urging the Congressional Delegation to amend S. 625 (H.R. 846) to include a provision that would designate sufficient funds from the Land and Water Conservation Fund for acquisition of private lands at Black Bay Narrows necessary for proper management and development of Voyageurs National Park.

Senator WALLOP. I must say that is an interesting group that has been formed by the Minnesota Legislature. It's a model for other States.

I just have to get in one kind of hometown sign here and I think it was Congressman Oberstar that referred to this as the crown jewel of the national park system, and coming from Yellowstone, I take minor issue with that characterization. I'm sure it's one of the third best parks in the country.

Thank you very much.

Next is Destry Jarvis, National Parks and Conservation Association.

Good morning, Mr. Jarvis.

STATEMENT OF T. DESTRY JARVIS, DIRECTOR OF FEDERAL ACTIVITIES, NATIONAL PARKS AND CONSERVATION ASSOCIATION

Mr. JARVIS. Good morning. Thank you very much for the opportunity to testify here today. I'll get right to the heart of the matter.

We oppose the deletion of Black Bay from Voyageurs National Park for a number of reasons. First I would say that I don't believe it would solve the controversies that have focused around that park for a number of years since it has been established. The park is new, it has not realized its full potential, and we believe that given time rather than radical surgery, the park can become one of the crown jewels of the national park system.

I would point out that two previous directors of the National Park Service have stated in their professional opinion that the area should be retained. The final approved general management plan for the park also recommended retention.

The former Assistant Secretary of Interior, Nathaniel Reed, in 1976, stated, "It has been and still is the professional judgement of the National Park Service that the area in question is every bit as important from a resource standpoint as any other part of Voyageurs." Further, he noted, "We question whether the proposed boundary change will significantly satisfy those who proposed the park. We envision that one concession made would simply lead to more concessions."

I would also point out that Black Bay is not the prime duck hunting area that it has been indicated. In 1977, former Superintendent Brooks stated—

> The duck hunting issue has had strong political aspects in other areas, but not Black Bay, that were defined during the original wildlife studies of the park as being good duck hunting areas. If we were going to delete an area from the park to provide the best duck hunting, it would not be Black Bay.

The question of the accuracy of the early maps has also been raised. I would provide for the committee's edification maps, three maps from 1963, 1964 and early 1965, all of which indicate that this portion of Black Bay was in early maps that were available to the public. In fact the earliest map of the three, from February 1963, has the boundary at least 2 miles to the west of its present location, indicating that as planning continued the area of Black Bay included in the park was reduced by about a 2-mile distance.

If, however, in the committee's judgement Black Bay is to be deleted from the park, there are a number of stipulations I believe that would be appropriate. The bill or the report of the committee should specify in greater detail than the bill now does what the State should do in the way of managing Black Bay. In earlier negotiations with the State and the National Park Service there was talk of the State designating the entirety of Black Bay as wildlife management area prior to the deletion. As a minimum we believe that the deletion should occur on the effective date of the designation of the area as a wildlife management area and not before.

We also believe that given the administrative nature of such designation that there should be a statutory reverter clause that if at such time in the future the area is deauthorized or disestablished by the State as a wildlife management area, then at least this thousand acre portion of Black Bay revert to the National Park Service.

I would also indicate that given the proposed boundary, that is the shoreline, I would seriously question whether much effective duck hunting is going to be accomplished because if all you're deleting is this open water and not the marshier areas back inland from there, the ducks are going to be moving in into the park and we're going to create another serious law enforcement situation.

One of the earlier proposals by some citizens in Minnesota as a quid pro quo or a means of compromising this controversy, was that the area and the rest of Black Bay be designated as a national preserve in the national park system where hunting is allowed. The chairman will recall in the Alaskan Lands Act, for example, a number of areas in that State where hunting was to be permitted but where otherwise they were qualified for inclusion in the park system. The preserve category was used.

Ninety percent of the shoreline of Black Bay is in public ownership, State or locally owned.

Finally, if this legislation is deemed to be the means of solving a hunting controversy then it should also be used as a means to solve the other hunting controversy in the park. In 1976 the former commissioner of the DNR imposed a ban on hunting on the private inholdings of the park of which there are now about 5,400 acres scattered throughout the park. The hunting that had occurred there previously was causing serious encroachment on park wildlife populations, bear, deer, and other species. In 1980 that ban was lifted by the present commissioner, Mr. Alexander, and has resulted, I would argue, in a serious wildlife encroachment and enforcement problem for the National Park Service.

I see no reason why either the land should be——

Senator WALLOP. What is the wildlife encroachment problem?

Mr. JARVIS. The population of species, bear, deer and other smaller animals of the park clearly don't know political boundaries. They move back and forth. And if a deer or a bear happens to move onto a piece that is a 1-acre or a 20-acre inholding, it can be shot during hunting season, whereas anywhere else in the park it can't be. I'm not opposed to hunting. I've been a hunter since I was 6 years old. But it seems to me that if a park is to be set aside to preserve wildlife species, and if the public is to have the pleasure of viewing this as one can in Yellowstone and other parks

where they are not as fearful of man, then as long as these inholdings exist, that wildlife is going to be quote, "harassed," at least during hunting season, and the wildlife will not be as available to the other visiting public to view or photograph or enjoy as one can in Yellowstone.

I think that situation most appropriate would be resolved through the land acquisition process, but since appropriations apparently will lag for some years to accomplish the acquisition of the remaining 5,400 acres, I would hope, and I don't have a solution, that some other means could be devised to help solve that problem in a more timely fashion.

We would support, as I have indicated, the $12.3 million acquisition.

And as a final note I would recommend for the committee's attention an article from the September 1974 issue of our magazine, National Parks Magazine, by former Congressman John Blatnik, who is one of the authors of the enabling legislation of this area, in which I think he paints a very clear visionary picture of what the future of Voyageurs National Park would be once it has been fully realized. And we would like to see that come to pass. It obviously is more difficult to achieve as long as these controversies remain.

I'm not opposed to resolving the controversies, but it should be done with the clear knowledge of the overall impact on the resource and with a desire to help this park achieve its full potential. I don't believe that deleting 1,000 acres of Black Bay will do that.

Thank you.

Senator WALLOP. Thank you, Mr. Jarvis. We have some questions we will submit to you, but I'll ask one. Has your organization been in touch with the Citizens' Committee?

Mr. JARVIS. Yes. The Voyageur National Park Association is an association of minds and represents or speaks for the citizen conservationists of the State. We have been in touch in the past with many organizations in the State.

Senator WALLOP. There are two different things. One is Voyageurs National Park Association and the other is the Citizens' Committee.

Mr. JARVIS. The Citizens' Committee is a creature of the State legislature to monitor the job of the Federal Government.

Senator WALLOP. My only question was, have you been working with them in any way to try and resolve this?

Mr. JARVIS. Yes, sir. Our related organizations in the State work with them quite regularly. In fact, there are some people on both boards.

Senator WALLOP. We'll probably have some questions we will submit to you, but in the interest of time we'll go ahead.

[The prepared statememt of Mr. Jarvis follows:]

88-974 O—82——7

STATEMENT OF T. DESTRY JARVIS
DIRECTOR OF FEDERAL ACTIVITIES
NATIONAL PARKS & CONSERVATION ASSOCIATION

BEFORE THE
SUBCOMMITTEE ON PUBLIC LANDS AND RESERVED WATER
ON S. 625, VOYAGEURS NATIONAL PARK

October 29, 1981

Mr. Chairman and other distinguished Members of the Subcommittee:

I am T. Destry Jarvis, Director of Federal Activities with the National Parks & Conservation Association located at 1701 18th St., N.W., Washington, D.C. 20009. On behalf of NPCA's 35,000 members nationwide, we would like to express our appreciation for the opportunity to testify before the Subcommittee today on S. 625, a bill to revise the boundary of Voyageurs National Park, Minnesota.

Although nearly 11 years have passed since its establishment, Voyageurs National Park is one of those units of the system which has been slow in realizing its potential both in terms of public recognition with resultant visitor use, and the full measure of protection of natural and cultural resources in the unit typically afforded an area which has been granted the distinction of becoming a unit of the national park system by the Congress. Despite its lack of widespread public recognition, Voyageurs in its short history has received a fair measure of attention as a result of several controversies which have arisen in the state and region of the park. These controversies have centered on the boundary, land acquisition within that boundary, the designation of wilderness in the park, and the types and locations of use of mechanized transportation on the interior lakes of the parks and Kabetogama Peninsula, in particular snowmobiles and floatplanes.

At the time of the park's establishment, there was widespread support in the state, the region and the nation for recognizing this area's national sigificance

by including it in the national park system and giving it the supreme designation of national park. Since then, however, numerous local demands have been made of the park for uses and activities not normally associated with this national park category, but more with national recreation areas. The most controversial aspect of the bill now before the Subcommittee is the proposed deletion of 1,000 acres in Black Bay because local residents wish to hunt ducks in the area. NPCA opposes this deletion.

Voyageurs is one of those rare treasures of the Nation's heritage where a number of important themes come together depicting important aspects of our natural and cultural history. The area's glacier-carved rock basins; bogs, marshes and beaver ponds; and re-emergent forests provide an extremely interesting environment for the visitor to experience the waterways of the voyageurs much as they were traveled during the heyday of the fur trade in the late 18th and early 19th centuries.

Deleting areas of importance to the natural environment of the park merely to settle local controversies would be an unnecessary and ultimately counterproductive decision, especially when the park's full potential for resources management, interpretation and other visitor uses has not yet been realized.

Although the National Park Service appears to now support deletion of the Black Bay area from the park, this is a complete turn-around from the Park Service's previous professional decision and is, in our judgment, motivated more on the basis of politics than park resources management. Two previous directors of the National Park Service, Gary Everhardt and William Whalen, both supported retention of the Black Bay area in the park. The final approved general management plan for Voyageurs National Park, following extensive public review, comment and NEPA compliance and after addressing the Black Bay deletion specifically, concluded that the area should be retained. In April 1976, former Assistant Secretary for Fish, Wildlife and Parks Nathanial P. Reed in correspondence to then-Commissioner of the Department of Natural Resources

of the State of Minnesota Robert L. Herbst stated, with regard to the Black Bay deletion,

> It has been and still is the professional judgment of the National Park Service that the area in question is every bit as important from a resource standpoint as any other part of Voyageurs. In your letter, it is suggested that the boundary change would serve as a concession to duck hunters displeased at the loss of a hunting area, would ease a point of controversy, and reduce some local dissatisfaction. We are aware that Voyageurs National Park was the subject of controversy dating back to the early concept stage, well before the Congress acted upon it. We are also aware of the strong support which most Minnesotans have given the park throughout. We question whether the proposed boundary change would significantly satisfy those who oppose the park. We envision that one concession made would simply lead to more concessions asked. In short, although obviously we will abide by the judgment of Congress in the matter, we do not believe the proposed boundary change is appropriate.

In 1977, then-Superintendent of Voyageurs National Park, Myrl Brooks stated,

> The duck hunting issue has had strong political aspects other areas, but not Black Bay, were defined during the original wildlife studies of the park as being good duck hunting areas. If we were going to delete an area from the park to provide the best duck hunting, it wouldn't be Black Bay.

Proponents of the Black Bay deletion have argued that its inclusion in the park was a mistake in the first place, that early park maps did not include this portion of Black Bay in the park. Careful review of the history of planning for Voyageurs National Park, however, reveals a different picture. Maps dating as early as February 1963 clearly indicate this portion of the Black Bay included in the proposed park boundary. Published master plan proposals of 1964, 1968, and 1975 include maps showing the Black Bay area inside the park. In fact, the present boundary as established by Congress, represents a two-mile decrease in the amount of Black Bay proposed for inclusion in the park in early maps of the area. Clearly, inclusion of Black Bay in

Voyageurs National Park was not a mapping error, but was regarded as a significant feature of this new area.

Deletion of Black Bay would constitute a net detriment to the park, even when taking into account several small, non-controversial additions, proposed in S. 625. At one time, a more appropriate quid pro quo was discussed by Interior Department officials with the State of Minnesota which would have designated the entire 5500 acres of Black Bay as a state wildlife management area. Unfortunately, the state rejected this proposal and countered with the suggestion that it would manage the 1,000 deleted acres of Black Bay for wildlife and would permit hunting. Even this inadequate offer by the state is not addressed by the proposed boundary revisions contained in S. 625. Yet another proposal which came from citizens in the State of Minnesota suggested that the entire Black Bay and its shoreline be put into the national park system as a national preserve, where sporthunting is allowed, but which is otherwise managed identically to a national park. This proposal was also rejected, but obviously for other reasons than the proposed hunting of ducks. The state has been consistently unwilling to propose any compromise solution which would result in a net benefit to protection of the natural resources of the park. In fact, the state's unwillingness to even protect all of the Black Bay itself is an indication of its very different goals in these negotiations.

Since Black Bay is viewed as a hunting controversy, any legislation which attempts to solve this problem should also resolve the other hunting controversy in the park involving the private inholdings. In 1976, former Minnesota DNR commissioner Herbst proposed a ban on hunting on the remaining inholdings of the park; approximately 7,000 acres scattered throughout the area. Since the inholdings are almost all small parcels surrounded by national park lands, hunting on these areas would surely encroach upon park wildlife, and undoubtedly result in poaching whether deliberate or inadvertent. In 1980, however, the DNR lifted the hunting ban opening these areas to renewed hunting activity. This serious problem points out the urgent need for the acquisition ceiling increase proposed in S. 625 of approximately $11 million which NPCA strongly supports. Even if

the ceiling increase is included in this bill, appropriations will undoubtedly lag for several years, necessitating a legislative solution to the problem of hunting on the inholdings, which should not be allowed to continue.

Of the approximately 5400 acres remaining in private ownership within the boundaries of the park, most are small tracts scattered throughout the interior of the park and should be acquired in order to avoid these and other conflicts in use.

The other provisions of S. 625 are non-controversial and are supported by NPCA. However, even taken cumulatively, these provisions do not constitute a quid pro quo for the deletion of Black Bay. Attached to my statement is an article which appeared in September 1974 edition of the NATIONAL PARKS & CONSERVATION MAGAZINE entitled, "Voyageurs, The Wilderness Park," by John A. Blatnik, the former Minnesota Congressman and author of the Voyageurs National Park Act. I commend this article to your attention because it represents a visionary picture of what Voyageurs National Park could become if the high management standards of the Park Service are adhered to and if it is not compromised away before its full potential is realized. Voyageurs is indeed different, particularly in the fact that most visitors move by water rather than by land in order to get to the interior of the park. The Kabetogama Peninsula, which compromises the main land area of the park--approximately 75,000 acres, is typical of the course over which the voyageurs paddled or shouldered their canoes--interior lakes, streams, and portages accessible only by foot and canoe. Modern park visitors are able to encounter almost an identical experience although the heavy bark canoes and pemmican have been replaced by Kevlar or aluminum canoes and freeze-dried foods. Voyageurs National Park is a unique national treasure for both its historical and natural character. Compromising its boundaries before the park has reached its full potential is not a worthy fate for this great resource.

Thank you for the opportunity to testify before the Subcommittee today, Mr. Chairman, and I would be happy to answer any questions.

VOYAGEURS — The Wilderness

The nation's thirty-sixth national park is a wilderness that appears today much as it did when adventurous fur-trading canoemen of the eighteenth century traversed its intricate waterways and portages.

by JOHN A. BLATNIK

WITH A SONG for every occasion and plumes in their bright red caps to indicate that they had been baptized "Nor'Westers," French Canadian adventurers of yesteryear, led or assisted by Indians, paddled and portaged tremendous loads along a 3,000-mile fur-trading highway stretching from Montreal to Lake Athabasca. Twentieth century adventurers can now get a taste of part of that maze of waterways and "portages," which are wilderness paths that bypass the treacherous spots in the water highway, in a new national park named after the tough and romantic canoemen.

Voyageurs National Park, on Minnesota's Canadian border, after one of the longest gestation periods of any national park, is now open to visitors. Though still a year or so away from official establishment, the park's main tourist "facilities"—the forests of the Kabetogama Peninsula and the clear waters of Kabetogama, Namakan, Rainy, and Crane Lakes—have been open to deer, timberwolves, wild fowl, and people since the end of the last ice age ten thousand years ago. They will remain substantially unchanged under National Park Service management.

The nation's thirty-sixth national park will be a wilderness park, with emphasis on sports such as hiking, camping, canoeing, and fishing in summer and cross-country skiing, snowshoeing, and ice fishing in winter. Traveling by foot or camped by a fire or an ice hole, the visitor acquires an immediate feel for the land as the Indian knew and cared for it. Motorboating—and in winter snowmobiling—will be permitted on the

Park

larger lakes but motor vehicles will be entirely prohibited on the peninsula.

Campsites within the park will be left in their present primitive condition. Although a full range of visitor accommodations will be available outside the park, state and local planning will assure that park-generated development enhances rather than detracts from the natural beauty of the park itself.

This new national park has three purposes, rigidly adhered to by the National Park Service: preservation of a uniquely beautiful, water-oriented area; recreation for a nation increasingly divorced from the peace of solitude and the humility engendered by the powerful forces of nature; and restoration to its rightful place of an almost forgotten chapter in the history of the North American continent—the eighteenth century fur regime in the Northwest, of which the Voyageurs were the mainstay.

WHEN THE FIRST white men entered northeastern Minnesota about 1660, the forest Sioux inhabited the land. Soon, however, the Chippewa Indians had taken over. These Indians depended for their livelihood on fish, berries, maple sugar, and plentiful populations of caribou, moose, deer, black bear, beaver, and other wildlife. A pleasant people, they introduced the Voyageurs to corn, pemmican, and birchbark canoes, as well as the harvesting and preparation of wild rice.

This extensive northern area encompassing Voyageurs National Park, the Superior National Forest, and Grand Portage National Monument—now dedicated to peace, recreation, and history—soon became the center of the great fur-trading empire built by the Hudson's Bay Company and the North West Trading Company, which spanned the continent from Montreal to the Rocky Mountains. The backbone of this empire was the "highway of the Voyageurs"—the network of turbulent streams, storm-whipped lakes, and rock-and-mud portages over which the Voyageurs toiled from Montreal to Lake Athabasca and the far-flung trading posts on the eastern slopes of the Rockies.

Each spring, when the tumultuous streams of the Northwest broke their bonds of ice, the "Northmen," in tiny six- to eight-man canoes loaded to the gunwales with furs traded from the Indians, would begin the tortuous journey east to Grand Portage at the northernmost tip of Minnesota. Here

NATIONAL PARK SERVICE

Through beautiful water passageways such as the one at right the hardy and adventurous Voyageurs paddled tremendous loads of furs in their canoes from the late 1600s to the early 1800s. This portion of the old Voyageurs' water highway is now in Voyageurs National Park in Minnesota on the Canadian border. Although the tough and romantic little canoemen were instrumental in plundering the wildlife of the Northwest for furs, now the wildlife of Voyageurs National Park—moose, deer, timberwolves, and many others—will be protected.

they met eight weeks later with the "Montrealers," who had paddled west via the Great Lakes. Furs were traded for next winter's supplies and the few weeks of revelry a year's wages would buy, before the return trip by paddle, pole, and portage began in August. Each year it was a race against time, against the fierce ice and snows of winter in the Northwest. The furs continued their trip east with the returning Montrealers, and thence to the chic salons of Paris and London.

The Voyageur, who greeted his life of eighteen-hour paddling days (at two cents an hour), and of long portages carrying up to two or three times his own weight in supplies, with an equal sprinkling of oath and song, disappeared from the lakes around the 1830s—and from the history books as well. Even the loggers, in the persona of Paul Bunyon, are better remembered than he. Now, in Voyageurs National Park and nearby Grand Portage National Monument, he will be restored to his rightful place as a colorful pioneer of the Northwest.

THE PARK'S lake country looks today much as it did when the Voyageur traversed it. Wild and imbued with a sense of vastness, it has superior geological interest. It is part of the oldest land mass in the world and is associated with the northern Shield region: a land surface carved by continental glaciation into an endless maze of waterways with a mantle of trees. Voyageurs National Park will encompass over 219,000 acres of which about 80,000 are water.

The Kabetogama Peninsula, which comprises the main land area of the park (75,000 acres), is typical of the course over which the Voyageurs paddled or shouldered their canoes—interior lakes, streams, and portages accessible only by foot and canoe. Although modern technology has produced the wonders of aluminum canoes and freeze-dried foods in place of the heavy bark canoes and pemmican, visitors from the sedentary twentieth century should have no difficulty experiencing firsthand some aspects of Voyageur life.

Campsites on the peninsula are designed for tents alone—one or a very few to a site, enabling those who choose the outdoor life to find the solitude they seek.

Fir, aspen, spruce, pine, and birch now cover the land down to the water's edge. Moose, deer, timberwolves, and beaver inhabit the peninsula as they did in Voyageur days. The Park Service hopes, too, that careful management of the forests will some day bring caribou back to the area.

The peninsula is almost totally surrounded by water, the main access route now as it was for the Voyageur. The waters range from narrows less than a hundred feet across to major lakes several miles wide, dotted with islands and bounded by rocky points or more accessible sandy beaches. The large lakes, subject to the same sudden squalls and storms as Lake Supe-

rior, can toss a Chris Craft about with the same ease as they once battered the Voyageur's frail canoe.

While the Park Service is moving ahead with its plans, the state of Minnesota, regional and local governments, and concerned citizens are working to develop a perimeter plan for the area immediately outside the park to prevent the unplanned sprawl and unsightly development that deface the approaches to so many of the nation's most beautiful protected areas. Under this plan, still in the proposal stage, expanded development will be kept within already developed areas, with the location and design of new buildings and advertising carefully regulated.

The esthetic quality of streams, lakes, and recreation areas will be preserved by buffer zones of standing timber between them and any timber harvesting activities near the park; timbering and tourism form the principal economic mainstay of the region. Water quality will be maintained by monitoring programs and detailed review of proposed development projects. Water use will be regulated and wildlife protected.

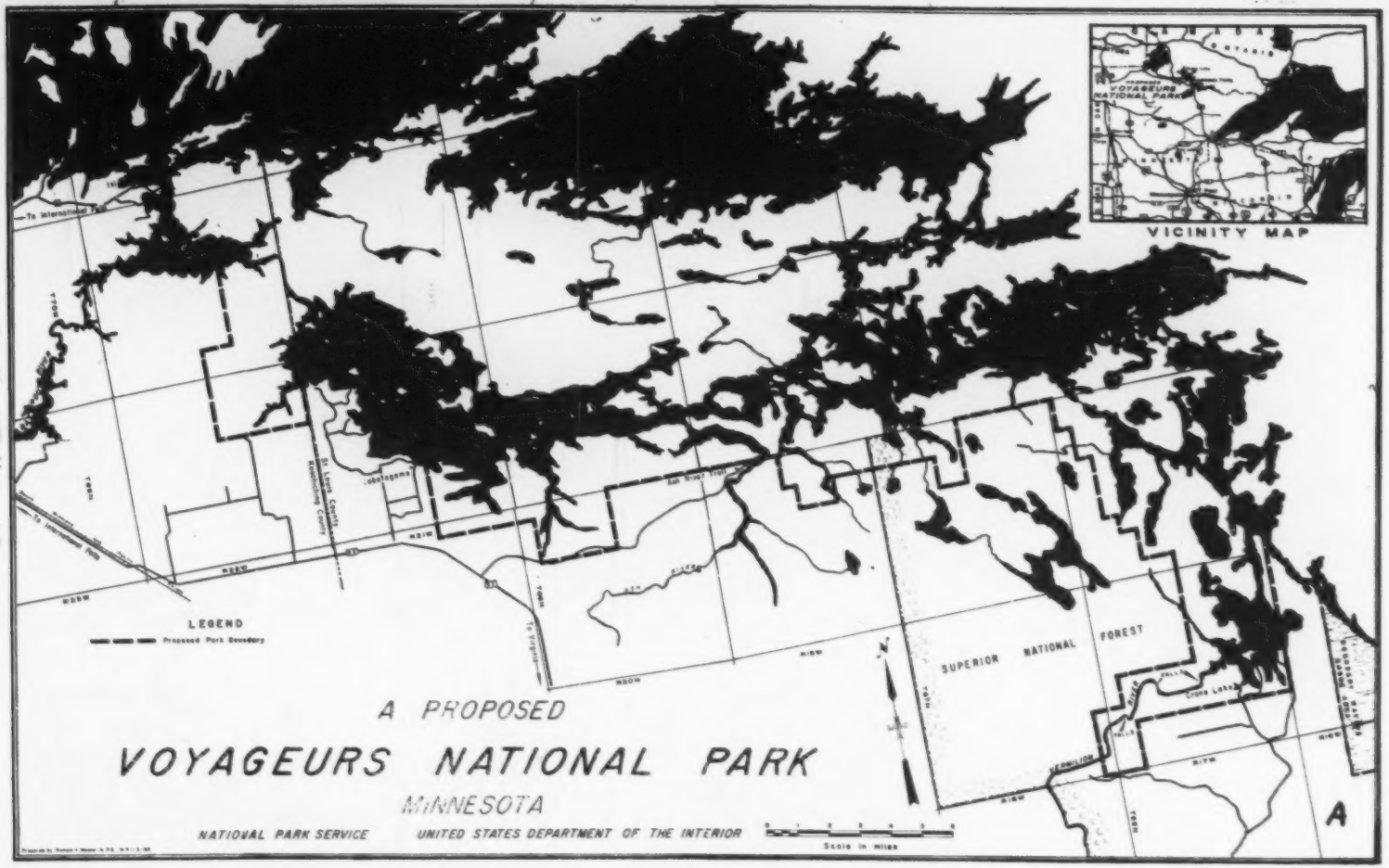
Donation of state lands within the park, private land acquisition, development of visitor facilities, and formal establishment of the park were delayed until very recently, but now the Park Service is moving toward negotiation, acquisition, and establishment.

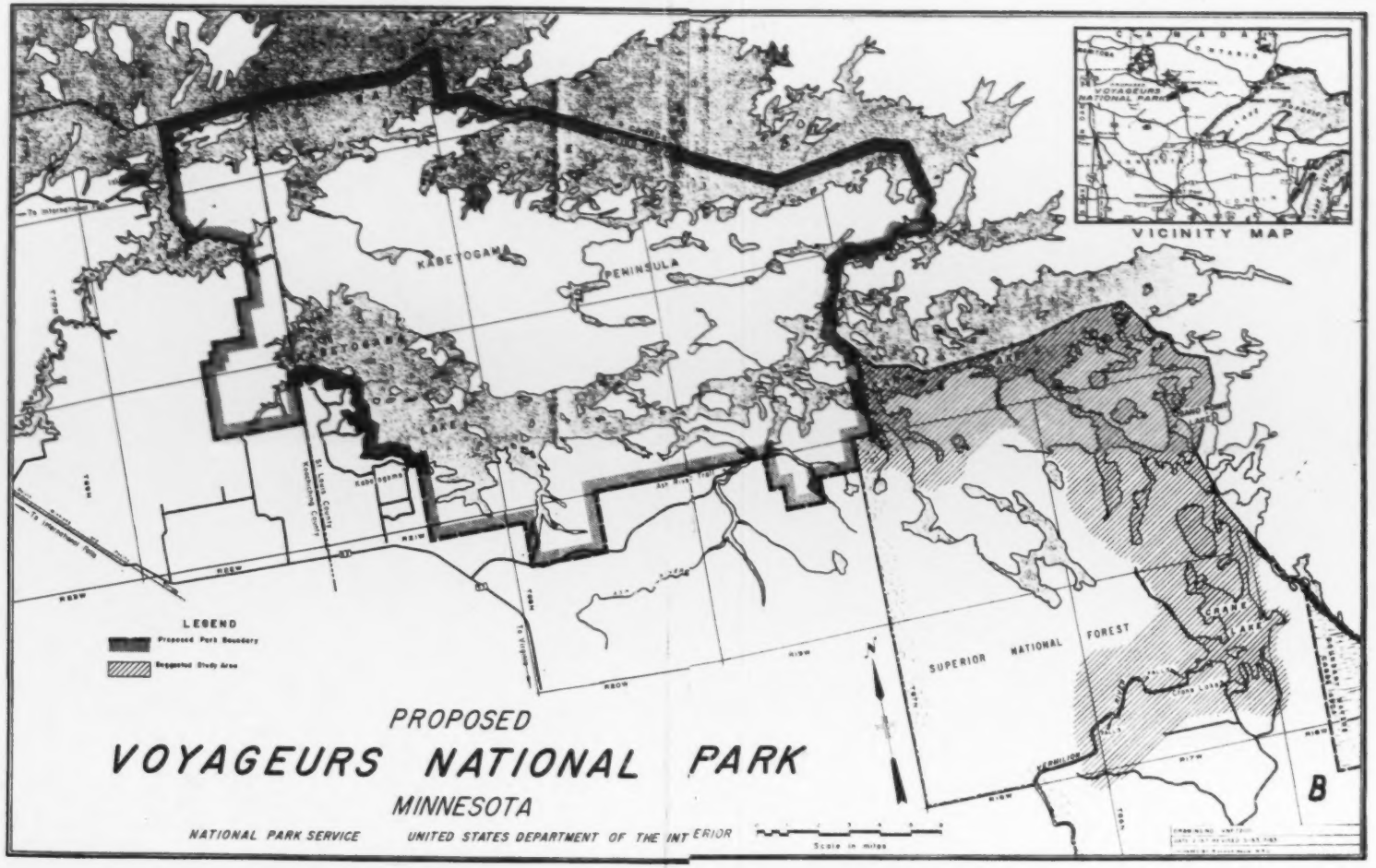
Fortunately, the visitor need not wait for the formalities to be completed. Camping is now permitted on parklands managed by the government and on lands managed by the Boise Cascade Corporation according to Park Service management practices until the Park Service acquires them. These lands include most of the Kabetogama Peninsula. Private resorts on the mainland offer an alternative to camping on the peninsula.

SIGURD OLSON, nationally recognized conservationist and one of the most powerful voices for establishment of the park, pointed out at a recent perimeter planning session, "If our population keeps exploding, if our industrial land base keeps expanding, if all the other 'ifs' materialize, if we keep adding another million square miles of blacktop to the surface of the earth, the most unique thing a piece of country can have will be its naturalness. To see a place that is still untouched, which is still as beautiful as God made it—that will be unique in the time to come."

Voyageurs National Park is a unique natural treasure and represents a whole segment of continental history that will be preserved for our children and for many generations to come. ■

John A. Blatnik, U.S. Congressman from northeastern Minnesota, is the author of the 1970 legislation that created Voyageurs National Park. He is Chairman of the House Public Works Committee.


VICINITY MAP
LEGEND
Proposed Park Boundary
SUPERIOR NATIONAL FOREST
A PROPOSED
VOYAGEURS NATIONAL PARK
MINNESOTA
NATIONAL PARK SERVICE
UNITED STATES DEPARTMENT OF THE INTERIOR
Scale in miles
A


VICINITY MAP
KABETOGAMA
PENINSULA
LAKE
SUPERIOR NATIONAL FOREST
CRANE LAKE
LEGEND
Proposed Park Boundary
Suggested Study Area
PROPOSED
VOYAGEURS NATIONAL PARK
MINNESOTA
NATIONAL PARK SERVICE
UNITED STATES DEPARTMENT OF THE INTERIOR
Scale in miles
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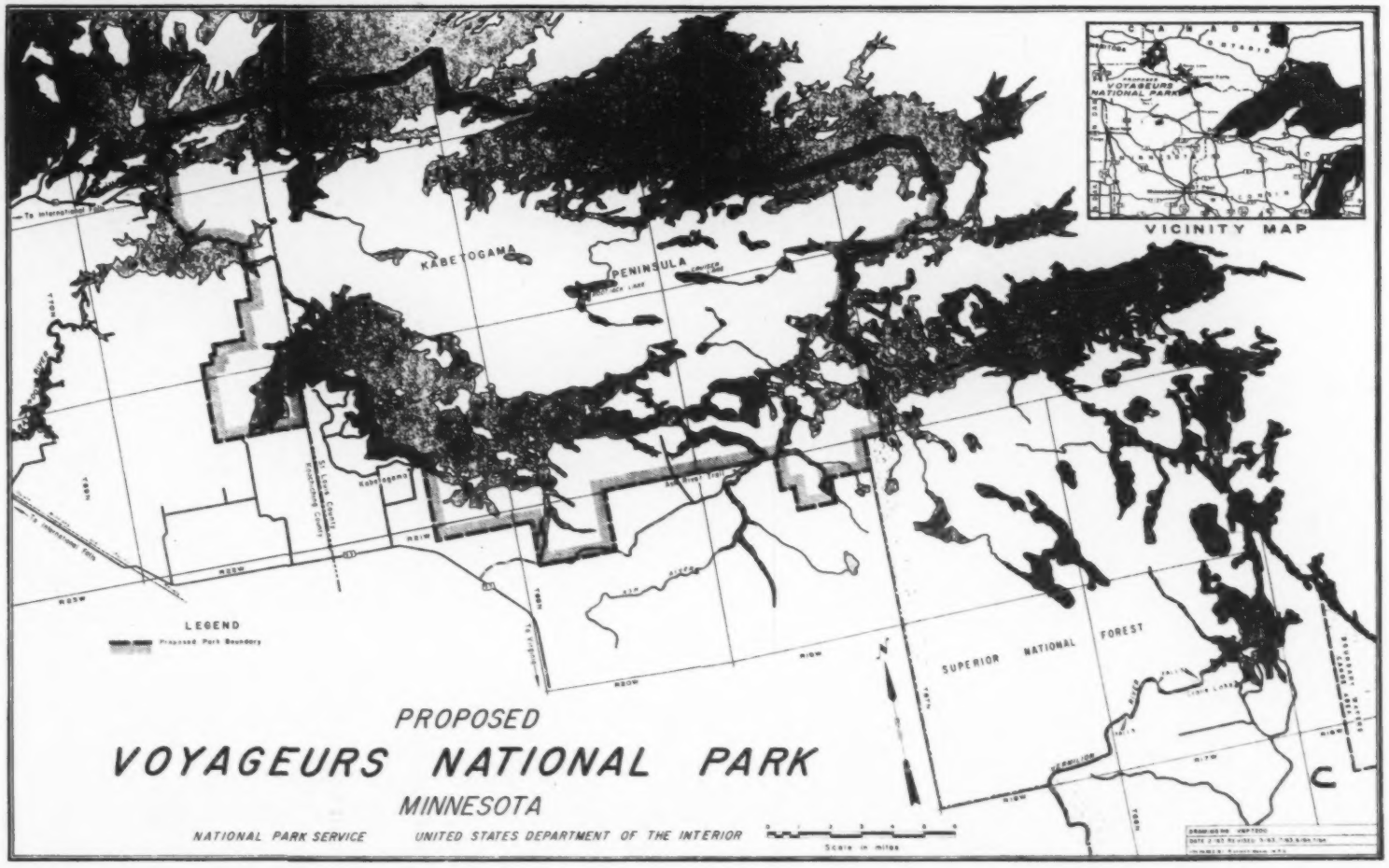

VICINITY MAP
KABETOGAMA
PENINSULA
LEGEND
Proposed Park Boundary
SUPERIOR NATIONAL FOREST
PROPOSED
VOYAGEURS NATIONAL PARK
MINNESOTA
NATIONAL PARK SERVICE
UNITED STATES DEPARTMENT OF THE INTERIOR
Scale in miles

Senator WALLOP. Next is Mr. Vic Davis, owner of some wilderness properties.

Mr. Davis is not here? OK, then the next is Ms. Harriet Lykken, vice president of the Voyageurs National Park Association.

[No response]

Senator WALLOP. Next is Mr. Irvin N. Anderson.

We welcome you, Mr. Anderson.

STATEMENT OF IRVIN N. ANDERSON, STATE REPRESENTATIVE, DISTRICT 3-A, STATE OF MINNESOTA, INTERNATIONAL FALLS, MINN.

Mr. ANDERSON. My name is Irvin Anderson. I am the State representative from District 3-A, State of Minnesota. My home is in International Falls, headquarters of Voyageurs National Park and a portion of the park is also within my legislative district. I am pleased to be here today to give testimony in support of the passage of S. 625 and speak in support of two provisions of the bill.

First, to delete approximately 780 acres in the Neil Point area of the park. That area is relatively heavily developed and I believe is not conducive to be used as a main administrative area for the park. Additional dredging will be necessary along some of the shorelines which I believe will be detrimental to the environment. I have had letters from constituents urging the deletion, and I support the National Park Service's position on this item.

Second, I strongly urge concurrence of the deletion of approximately 1,000 acres in Black Bay, Rainy Lake.

The deletion of the Black Bay area is really the reason I am pleased to be here for this issue has been before the Park Service and the state of Minnesota for some 10 years.

I have provided in my documentation a number of letters and other important papers that I think are of interest, but I'm going to skip through.

Senator WALLOP. We'll make them all a part of the record.

Mr. ANDERSON. I have a letter dated April 8, 1976, to a Mr. Thomas Kleppe, Secretary of the Interior, from Robert Herbst urging the deletion of the Black Bay area and indicating that it was his opinion that inclusion of the waters of Black Bay was an error on the part of the Park Service, and I have maps that would indicate that.

I was unable to obtain copies of the two maps referred to in the Herbst letter of April 1976, but I have included with the April 8 letter copies of two maps, one designated VNP 7200, dated 1963, and the other with no map number but dated September 27, 1974, which vividly depict the vast differences in the amount of water included in the park when it was a concept as compared to reality. You will note that the earlier map did not indicate water acquisition by the National Park Service which led citizens of the area, both supporters and nonsupporters to believe that all of the Black Bay hunting area would not be a part of the park. Meanwhile, the later map, showing the line was actually located in the center of the bay and acquiring a large portion of the waterfowl hunting area.

I might call your attention, Mr. Herbst was commissioner of natural resources for the State of Minnesota, and in addition he was later the Assistant Secretary of the Interior. During the 1973 hunting season a cooperative study on the area was undertaken by the DNR and the National Park Service at the request of Congressman John Blatnik to monitor hunting activity. Copies of the results of that study are available and have been included in the handout. I hope you will take time to read the complete report, but I would like to highlight some of the items.

The total number of hunters using the Gold Portage waterfowl area for the entire 1973 season was 509 and 65 hunters being the most for any one day. Although no survey was conducted during the 1972 season, by observation, it appeared that hunting activity was down considerably in 1973. The restrictive season framework that year was in large part responsible for the decline. In my opinion, the hunter days figure would easily exceed 1,000 during a more normal type framework such as 1974 or 1975. Unfortunately, the Park Service had already begun to restrict hunter activity during the 1974 season and therefore no valid comparison was possible.

A hunter bag check for the area in 1973 showed that over 60 percent of the birds taken were scaup, a species that nests in northern Canada, not the Rainy Lake area. This, I believe, is an important point because one of the original reasons presented by the Park Service in informal discussions concerning the issue was that they did not want local birds, produced in the park, to be shot off. Results of the bag check, shown on table 2 of the report, clearly refute this argument.

The importance of a loss in this area of the local water fowl hunting condition cannot be overemphasized. I would like to point out that although Koochiching County is one of the largest, it only has a few bases located in the southwest corner. Also those portions of Rainy Lake west of Black Bay offer little hunting opportunity primarily because of residential shoreline development.

Black Bay, especially the east end, offers just about the only good duck hunting in the county.

One of the reasons given by opponents of the proposal is that the area provides much needed refuge to migrating waterfowl. In fact, the area is of little if any importance as a refuge because ample legal refuge presently exists in the park on Cranberry Bay and the shores of Lake Kabetogama. In addition, vast water areas immediately north in Ontario provide more than adequate natural refuge for migrating waterfowl.

A second reason given by opponents is that if the area were once again open to hunting, many of the ducks bagged would be birds which nested in the park. However, bag checks on Black Bay by the DNR in the past 4 years clearly disprove this assumption. Our checks show that most of the ducks bagged on Black Bay are diving ducks, which are not the local nesters. The Black Bay area does not have many nesting ducks and a high percentage of those that do nest there are early migrants which actually leave before the hunting season ever begins.

Wildlife management will actually complement the park for it will provide additional species of wildlife and fowl for park visitors

to view and watch during those times when the park is not being used as a hunting ground. The State, in its management program, can provide nesting structures, loafing platforms, wild rice plantings and other management systems which the National Park program does not provide. The nonconsumptive use of the area will be greater than the consumptive use. As an illustration, Mud Goose wildlife area of Itasca County has 60 percent more visitors by nonhunters than hunters. Wild ricers and sightseers are its main attraction.

The Voyageurs National Park Draft and Final Environmental Statement of 1979 on page 112, paragraph C–1 states that if the boundary was changed to accommodate hunting, the area in question "would be almost entirely surrounded by lands and waters administered by the National Park Service." This statement is false. All of the waters of the bay, except the Gold Portage Creek immediately adjacent to the area are not in the park. In that same paragraph it states that a boundary change would result in difficult management problems for the Department of Natural Resources and confusion on the part of the hunters. Both of these statements were written by a planner in Washington, D.C., or elsewhere who has spent little if any time in the area. The DNR and I do not agree with the above statement and do not feel it would result in difficult management problems. Also, there is already considerable confusion on the part of the hunter. The present water boundary invites hunter trespass, for example in pursuing wounded ducks. A boundary change could eliminate much of the present confusion by making a contigious boundary along the east and north shores of Black Bay. The present boundary is in the middle of the bay, while proposed boundary is along the shoreline and much less confusing.

Enforcement of the State's hunting restrictions and enforcement of the national park's regulations will be enhanced by the deletion of the Black Bay area. Park officials must travel 4 miles to police the isolated water area and the imaginary line in the center of the bay is conducive to violation.

The third paragraph of that same statement states that hunting activity proximal to the pristine Kabetogama Peninsula would severely affect the aesthetic experience of the visitor utilizing the park during the hunting season. I would like to point out that hunting is presently legal adjacent to much of the boundary of the park and to my knowledge no hunter-park visitor conflicts have occurred.

The Department of Natural Resources is agreeable to designating the area an official State Wildlife Management. Such a designation would give the Department added authority in regulating hunter activity so as to be compatable with Park Service objectives to the boundary.

Voyageurs National Park has not been without its controversy. To me it has been one of the most controversial national parks ever created. While I do not pretend to believe that the passage of this bill will resolve all of the controversy surrounding the park, I do believe it will go a long way toward creating a better understanding between the citizens of the area and the Park Service. To the hunter it will mean he has an understanding Federal Government whose bureaucracies were wrong in drawing the park's

boundary line; to the dissident it will mean that the governmental process is still open to his use; to the average citizen, increased economic growth and overall a renewing respect for the Federal Government.

I might call to your attention that the original Voyageurs National Park boundaries had a provision that allowed hunting throughout the entire park. So it's apparent to me that it was the wish of Congressman Blatnik that hunting be allowed in the park. That wasn't the rule of Congress, but that was his own individual wish.

I should also compliment you on your willingness to appropriate $10.9 million for land acquisition. That's a sore spot up in that area and we need as much land acquisition as possible.

Senator WALLOP. Don't do that to me yet.

Mr. ANDERSON. More important than that, however, do you know that Voyageurs National Park has been in existence for something like 6 years, maybe more. Do you know how much money has been spent on that park? A measly $300,000, and I think that's a shame. If this is a crown jewel, then let us develop the park the way it should be developed. And I think it warrants additional moneys to be spent.

Senator WALLOP. You're talking $300,000 for development?

Mr. ANDERSON. Yes.

Senator WALLOP. For operation, maintenance and other things?

Mr. ANDERSON. That is not included in the $300,000.

Senator WALLOP. Thank you very much. The subcommittee may well have some questions.

Mr. ANDERSON. I believe the provisions of the bill are good. You ought to study the access roads.

[The prepared statement of Mr. Anderson follows:]

88-974 O—82——8

STATEMENT OF REPRESENTATIVE IRVIN N. ANDERSON
October 29, 1981

My name is Irvin Anderson. I am the State Representative from District 3-A, State of Minnesota. My home is in International Falls, the headquarters of Voyageurs National Park and a portion of the Park is also within my legislative district. I am pleased to be here today to give testimony in support of the passage of S 625 and speak in support of two provisions of the bill.

First, to delete approximately 780 acres in the Neil Point area of the park. That area is relatively heavily developed and I believe is not conducive to be used as a main administrative area for the Park. Additionally, dredging will be necessary along some of the shorelines which I believe will be detrimental to the environment. I have had letters from constituents urging the deletion. I support the National Park Service's position on this item.

Secondly, I strongly urge concurrence of the deletion of approximately 1,000 acres in Black Bay, Rainy Lake.

The deletion of the Black Bay area is really the reason I am pleased to be here for this issue has been before the Park Service and the State of Minnesota for some ten years.

I have provided committee members with documentation on why the Black Bay area should be deleted. First of those is a letter dated February 23, 1972 from Norman Selsaas requesting Robert Herbst, then Commissioner of the Minnesota Department of Natural Resources, consideration of deletion of the Black Bay area and citing reasons why and requesting the Department of Natural Resources' assistance in deleting the area from the Park. (See Attachment 1.)

A letter dated February 28, 1972 from Milton Stenlund, Administrator for the Minnesota Department of Natural Resources in Grand Rapids, to Roger Holmes, Director of Game, Minnesota Department of Natural Resources, agreeing that the area should be deleted from the Park. (See Attachment 2.)

A third letter dated April 13, 1972 from Robert Herbst, then Commissioner of the Minnesota Department of Natural Resources and later Assistant Secretary of the Interior. His letter to Mr. George B. Hartzog, Jr., Director of the National Park Service, urged the deletion of the Black Bay area from the Park. (See Attachment 3.)

In addition, I have a second letter dated April 8, 1976 to Thomas Kleppe, Secretary of the Interior, from Robert Herbst urging the deletion of the Black Bay area and indicating it was his opinion that inclusion of the waters of Black Bay was an error on the part of the Park Service. (See Attachment 4.)

I was unable to obtain copies of the two maps referred to in the Herbst letter of April, 1976 but have included with the April 8 letter copies of two maps, one designated VNP 7200, dated 1963, the other with no map number but dated September 27, 1974 which vividly depict the vast differences in the amount of water included in the Park when it was a concept as compared to reality. (See Attachments 5 and 6.) You will note that the earlier map did not indicate water acquisition by the National Park Service which led citizens of the area, both supporters and non-supporters to believe that all of the Black Bay hunting area would not be a part of the Park. Meanwhile, the later map, showing the line was actually located in the center of the Bay and acquiring a large portion of the waterfowl hunting area.

In addition to citizens of the area, sportsmens groups, the Minnesota Department of Natural Resources, the Citizens Committee on Voyageurs National Park also supports deletion of the Black Bay area. I have provided you a copy of one of their resolutions I am sure Mr. Parmeter will speak further for that committee. (See Attachment 7.)

During the 1973 hunting season a cooperative study on the area was undertaken by the DNR and National Park Service at the request of Congressman John Blatnik to monitor hunting activity. Copies of the results of that study are available for each committee member and have been included in the handout. (See Attachment 8.) I hope you will take time to read the complete report later. I would like to review the highlights of that study:

The total number of hunters using the Gold Portage Waterfowl Area for the entire 1973 season was 509 and 65 hunters being the most for any one day. Although no survey was conducted during the 1972 season, by observation, it appeared that hunting activity was down considerably in 1973. The restrictive season framework that year, was in large part, responsible for the decline. In my opinion, the hunter days figure would easily exceed 1000 during a more normal type framework such as 1974 or 75. Unfortunately the Park Service had already begun to restrict hunter activity during the 1974 season and therefore no valid comparison was possible.

A hunter bag check for the area in 1973 showed that over 60% of the birds taken were scaup, a species that nests in northern Canada, not the Rainy Lake area. This, I believe, is an important point because one of the original reasons presented by the Park Service in informal discussions concerning the issue was that they did not want local birds, produced in the park, to be shot off. Results of the bag check, shown on Table 2 of the report, clearly refute this argument.

The study also found that most of the hunters were from the International Falls area. All of the hunters were hunting with the use of blinds and decoys and 86 percent of those same hunters were using existing blinds. I would like to point out Mr. Chairman, that these blinds are very simple structures consisting of a few willow branches or cat tail strands. In most cases, they cannot even be distinguished as a blind from the water.

Less that half of the hunters questioned said they ordinarily hunt waterfowl in other areas of Rainy Lake or Rat Root Lakes. Only four of the 49 hunters interviewed said they ordinarily hunt waterfowl in other areas of Koochiching County.

In general, the man who hunts the Gold Portage Waterfowl Area is an ardent hunter devoted to his favored sport. Hunters who camped overnight on the area were common, especially on weekends. One such party included a 13 year old girl hunting with her

father. On at least eight occasions during the 73 season, hunters arrived on the area before 3:00 A.M. with the earliest arrival being recorded at 12:15 A.M. on the first day of the season. This is especially interesting in light of the fact that hunters had to travel at least four miles by water to get to the area during a time of year when other tourist activity was nil.

Other recreational uses of the area were extremely limited during the 1973 waterfowl season. Only two boats were observed in the area engaged in non-hunting activities. Both parties were fishing and one party only fished a short time before setting out decoys and hunting ducks. The potential of the area for non-hunting recreational uses during the waterfowl season does not appear high primarily because of cold weather and rough waters.

Waterfowl hunting on the area did not appear to appreciably disturb the ecology of the area. Most hunters used existing blinds and both vegetation disturbance and littering were minimal. If the area were adjacent to, rather than included in the park, regulations concerning hunting activity could be easily enforced. This would be especially true if the area would be designated as a state wildlife management area.

Mr. Chairman, the importance of the loss of this area to the local waterfowl hunting tradition cannot be over-emphasized. I would like to point out to the committee that although Koochiching County is one of the largest counties in the state, it has only a few small lakes most of which are located in the southwest corner some 70 plus miles from International Falls. Also, those portions of Rainy Lake west of Black Bay offer a little hunting opportunity primarily because of residential shoreline development. Black Bay, especially the East end, offers just about the only good duck hunting in the county.

One of the reasons given by opponents of the proposal is that the area provides much needed refuge to migrating waterfowl. In fact, the area is of little if any importance as a refuge because ample legal refuge presently exists in the Park (i.e. Cranberry Bay and Lake Kabetogama). In addition, vast water areas immediately north in Ontario provide more than adequate natural refuge for migrating waterfowl.

A second reason given by opponents is that if the area were once again open to hunting, many of the ducks bagged would be birds which nested in the Park. However, bag checks on Black Bay by the DNR the past four years clearly disprove this assumption. Our checks show that most of the ducks bagged on Black Bay are diving ducks (primarily Scaup) which are not local nesters. The Black Bay area does not have many nesting ducks and a high percentage of those that do nest there are early migrants which actually leave before the hunting season ever begins.

Waterfowl season in Minnesota cannot open before October 1st and usually runs until mid-November. In most years hunting activity on Black Bay is cut short by ice long before the season is over. As an example, in 1978 the season officially ended on November 19th. In fact, the season on Black Bay ended eight days early when it froze over. The entire hunting period occurs at a time of year when other tourist activities are at a minimum because of inclement weather and therefore conflicts with Park visitors would be minimal.

I would like to point out that there can be benefits to having hunters on Black Bay in the Fall. For example, in 1978 a wild fire on the Kabetogama Peninsual near Perry Point was first attacked by two passing duck hunters. The incident occurred on November 3, 1978 and was reported by the Falls Daily Journal on November 6th. According to the article, hunters carried water in ammo boxes to keep the fire under control until a Park Service crew arrived some two hours later. A good example of hunters and Park Service working together.

Wildlife management will actually complement the Park for it will provide additional species of wildlife and fowl for Park visitors to view and watch during those times when the Park is not being used as a hunting ground. The State, in its management program, can provide nesting structures, loafing platforms, wild rice plantings and other management systems which the National Park program does not provide. The non-consumptive use of the area will be greater than the consumptive use. As an illustration, Mud Goose

Wildlife Area of Itasca County has 60% more visitors by non-hunters than hunters. Wild ricers and sightseers are its main attraction.

The Voyageurs National Park Draft and Final Environmental Statement - 1979 Page 112 (C-1), states that if the boundary was changed to accommodate hunting, the area in question "would be almost entirely surrounded by lands and waters administered by the National Park Service." This statement is false. All of the waters of the Bay, except the Gold Portage Creek immediately adjacent to the area are not in the Park. In that same paragraph (C-1) it states that a boundary change would result in "difficult management problems for the Department of Natural Resources and confusion on the part of the hunters. Both of these statements apparently were written by a planner in Washington, D. C. or elsewhere who has spent little if any time on the area. The DNR and I do not agree with the above statement and do not feel it would result in "difficult management problems" as stated. Also, there is already considerable confusion on the part of the hunter. The present water boundary invites hunter trespass, for example in pursuing wounded ducks. A boundary change could eliminate much of the present confusion by making a contigious boundary along the east and north shores of Black Bay. The present boundary is in the middle of the Bay, while proposed boundary is along the shoreline and much less confusing. Enforcement of the State's hunting restrictions and enforcement of the National Park's regulations will be enhanced by the deletion of the Black Bay area. Park officials must travel four miles to police the isolated water area and the imaginary line in the center of the Bay is conducive to violation.

The third paragraph of that same statement (C-1) states that hunting activity proximal to the "pristine" Kabetogama Peninsula would severely affect the aesthetic experience of the visitor utilizing the park during the hunting season. I would like to point out that hunting is presently legal adjacent to much of the boundary of the park and to my knowledge no hunter-park visitor conflicts have occurred.

The Department of Natural Resources is agreeable to designating the area an official state Wildlife Management. Such a designation would give the Department added authority in regulating hunter activity so as to be compatable with Park Service objectives adjacent to the boundary.

Voyageurs National Park has not been without its controversy. To me it has been one of the most controversial national parks ever created. While I do not pretend to believe that the passage of this bill will resolve all the controversy surrounding the Park, I do believe it will go a long way towards creating a better understanding between the citizens of the area and the Park Service. To the hunter it will mean he has an understanding federal government whose bureaucracies were drawing the Park's boundary line; to the dissident it will mean that the governmental process is still open to his use; to the average citizen - increased economic growth and overall a renewing respect for the federal government.

ATTACHMENT I,

KOOCHICHING SPORTSMEN'S ASSOCIATION

BOX 188

INTERNATIONAL FALLS, MINNESOTA 56649

February 23, 1972

Mr. Robert Herbst, Commissioner
Department of Natural Resources
Centennial Building
St. Paul, Minnesota 55101

Dear Mr. Herbst:

In December of 1971, a committee from the Koochiching Sportsmen's Club, consisting of Mr. Tony Mio, John Coran, Jim Schneeweis, Rep. Irvin N. Anderson and myself, met with Mr. M. Brooks from the National Park Service in regards to changing the boundary in Black Bay to allow duck hunting.

The Sportsmen's Committee would like to have the Eastern part of Black Bay (the water area) left out of the park so the duck hunters could use that area for duck shooting. This section of Rainy Lake is our heaviest concentration of duck hunters. We have local businessmen and mill workers that hunt there early in the morning and still open their places of business by 9:00 A.M. We have shift workers from the local plants that get out of work at 3:00 P.M. and have the evening hunting. The Eastern section of Black Bay does have some wild rice that attracts the ducks. The planting of wild rice was a project of the Sportsmen's Club some years ago to make better habitat for the ducks.

The water section would have to allow a hunter to pull his canoe or duck boat into the weeds or shore to stand and shoot. The question was asked by Mr. Brooks about the tourist wouldn't like hunting if they were canoeing, but then in October our tourists are nil.

Mr. Brooks stated that a survey of that area should be conducted this coming Fall to evaluate the situation and to see just how much hunting pressure this section of Black Bay has. It was suggested that members of the Department of Natural Resources could conduct this survey. It could be checked out with our local game wardens and game biologist.

Any help from the Department of Natural Resources on this matter would be greatly appreciated.

Sincerely,

Norman Selsaas

Norman Selsaas
President
KOOCHICHING SPORTSMEN'S ASSOCIATION

NS:gal

ATTACHMENT II

Jim 2.

STATE OF MINNESOTA

DEPARTMENT NATURAL RESOURCES - Game

Office Memorandum

TO : Roger Holmes

DATE: February 28, 1972

FROM : Milt Stenlund

SUBJECT: Gold Portage Duck Hunting Area, Voyageurs National Park

I agree with Jim and the duck hunters of Koochiching County and St. Louis County that this area should be removed from the park. It is unfortunate that absolutely no consideration was given to the hunters during proceedings established in the park.

I would suggest that the boundary as shown on the map along the north line of Sec. 12 be extended east to the bay. This would eliminate the need for posting by the park service through the marsh area along the west side of Sec. 12 and would allow the boundary to be on dry land all the way.

MS:jaw
cc: Jim Schneweis

ATTACHMENT III 3.

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES
CENTENNIAL OFFICE BUILDING • ST. PAUL, MINNESOTA • 55155

April 13, 1972

Mr. George B. Hartzog, Jr., Director
National Park Service
Interior Building
Washington, D. C. 20240

Dear Mr. Hartzog:

A problem regarding the boundary line of the Voyageurs National Park has recently been brought to my attention.

The Gold Portage area of Black Bay in Rainy Lake is one of the few good duck hunting spots in Koochiching County. This area, as shown on the attached sketch, lies just inside the boundary of the Voyageurs Park and, therefore, will be closed to hunting.

May we suggest that the boundary of the park be modified to eliminate Sections 7 and 18, Township 70 North, Range 21 West and Sections 11, 12 and 13, Township 70 North, Range 22 West from the park. This area has afforded quality waterfowl hunting for many years. Hunter surveys during the 1971 waterfowl season show a minimum of 13,500 man-hours of hunter use. Closing the area to waterfowl hunting would eliminate a lot of recreational opportunity and serve no real purpose in that area as Rainy Lake offers extensive natural refuge for ducks.

The modification of the park boundary would still provide the National Park Service with control and ownership of waters leading into the Gold Portage to Lake Kabetogama, as well as the portage itself. Modification of the boundary would also provide a dry land boundary rather than require the Park Service to post across Black Bay.

Waterfowl hunting in that area would not interfere with tourist activity because inclement weather in October and November reduces the number of park visitors to a very low level.

Your consideration of this matter is appreciated.

Yours truly,

ROBERT L. HERBST
Commissioner

RLH/rh
cc/Minnesota Congressional Delegation
Rep. Irvin Anderson
Milo Casey
U. W. Hella
Merle Brooks

ATTACHMENT IV

April 8, 1976

The Honorable Thomas S. Kleppe
Secretary of the Interior
C Street between 18th & 19th Sts. N.W.
Washington, D. C. 20240

Re: Voyageurs National Park

Dear Sir:

On April 13, 1972, the State of Minnesota requested the Director of the National Park Service to revise the boundaries of Voyageurs National Park in the Black Bay area for the purpose of resolving certain park boundary conflicts, particularly those relating to waterfowl hunting.

As a result of discussions and conferences held since that date, the State now recommends a boundary revision which will result in a relatively minor decrease in water acreage of the park. (See attached maps.) Except for some small islands, no land is involved in this proposal. As you may be aware from prior correspondence between the State and the National Park Service, the area proposed for boundary revision is in an area where historically there have been variations in the exact location of the boundary, depending upon which map is referred to. For example, map "NP-VOY-3000A, Aug 1964", shows the boundary line some distance from the land in this area; on the other hand, a more recent map "LNPMW-VOYA-1001, Feb. 1969", (the official map referred to in the Act of Congress authorizing establishment of the park) shows the boundary line touching the land at certain points in this area. Local National Park supporters such as George Esslinger, who guided National Park officials making boundary surveys in the primitive stages of the park, agree that Black Bay was out at that time, that confusion has arisen since that time, and that our recommendation has the support of local residents who are interested in and support the park. A new boundary following the shoreline, similar to adjoining boundary lines, will resolve many problems. The State urges that you give the matter your favorable consideration.

Your authority to make such a boundary revision is found in Public Law 91-661 (authorizing the establishment of Voyageurs National Park), at Section 101: " - - - The Secretary may revise the boundaries from time to time by publishing in the Federal Register a revised drawing or other boundary description, but such revisions shall not increase the land acreage within the park by more than one thousand acres."

Please feel free to contact me at any time in regard to this matter. I really feel that this issue needs to be resolved in favor of our recommendation as the issue is perhaps the most important controversy creating local dissatisfaction with the National Park and the Park Service. Solving this problem would go a long way towards removal of local opposition while at the same time not in any way harming the integrity of the Park.

Sincerely,

ROBERT L. HERBST
Commissioner of Natural Resources

cc Governor Wendell R. Anderson

Congressman James L. Oberstar

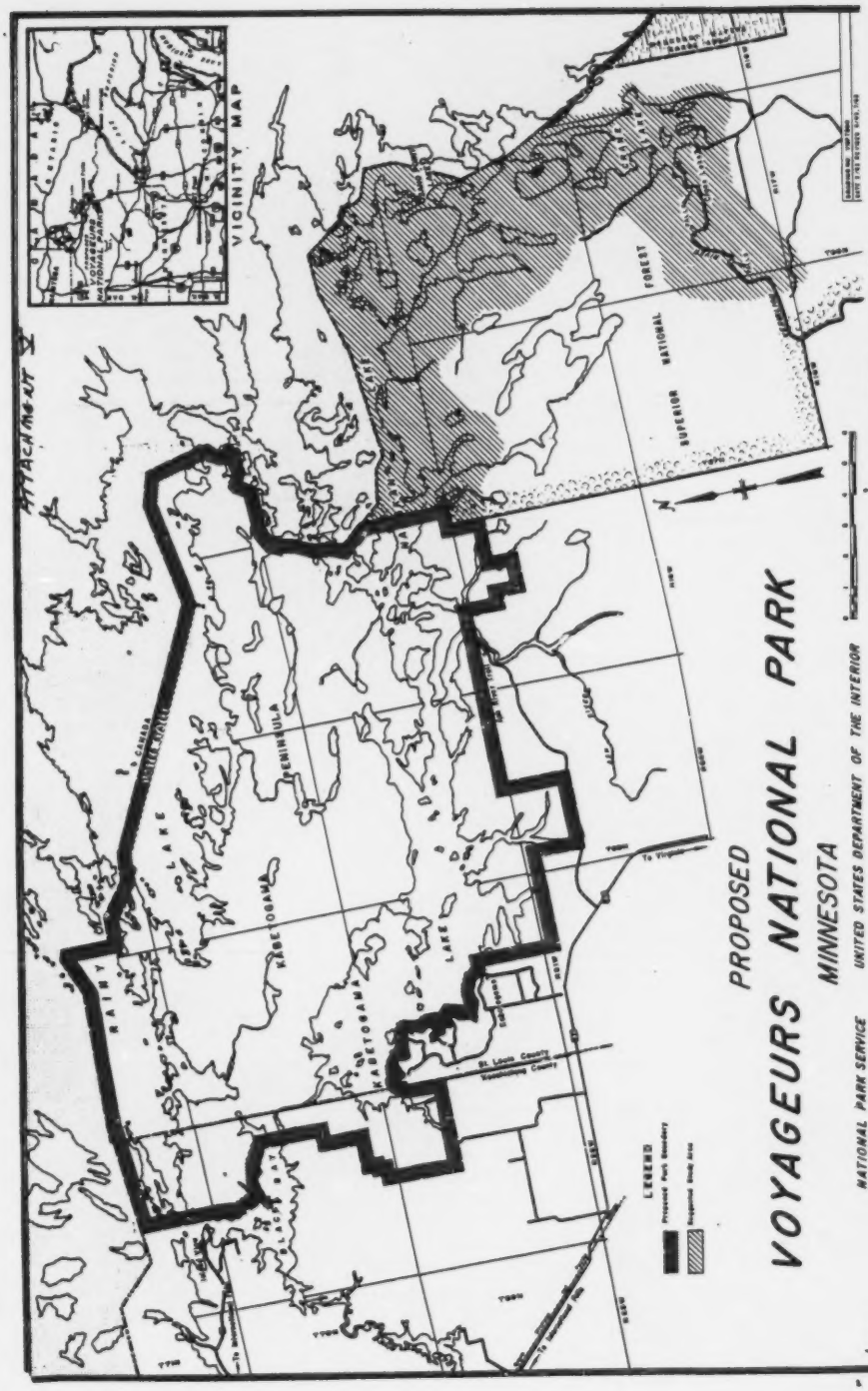
Gary E. Everhardt, Director of N.P.S.
(Interior Dept. Bldg.)

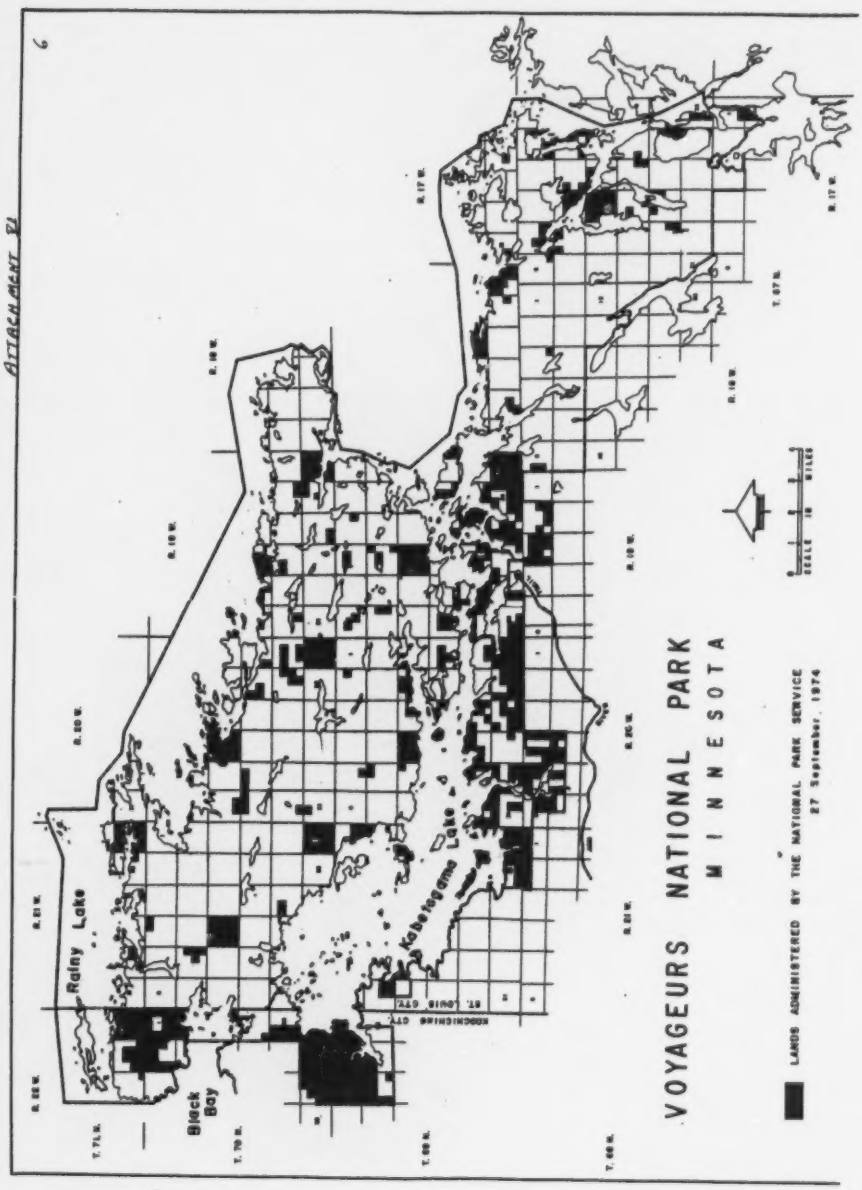
Merrill Beal, Regional Director

Myrl Brooks

Attachment

Representative Irv Anderson
bcc C. P. Buckman
Mike Casey
Don Davison
Gerald D. Seinwill
Jerry Kuehn
C. Paul Faraci


VICINITY MAP
PROPOSED
VOYAGEURS NATIONAL PARK
MINNESOTA
NATIONAL PARK SERVICE
UNITED STATES DEPARTMENT OF THE INTERIOR
LEGEND
SUPERIOR NATIONAL FOREST
KABETOGAMA PENINSULA
RAINY LAKE
LAKE KABETOGAMA
St. Louis County
Koochiching County


ATTACHMENT #1
Rainy Lake
Black Bay
Kabetogama Lake
VOYAGEURS NATIONAL PARK
MINNESOTA
LANDS ADMINISTERED BY THE NATIONAL PARK SERVICE
27 September, 1974

ATTACHMENT XII

Citizens' Committee on Voyageurs National Park

March 20, 1978

Mr. William Whalen
Director, National Park Service
U.S. Department of the Interior
Washington, D.C.

Dear Mr. Whalen:

The enclosed position papers are presented on behalf of the Citizens Committee on Voyageurs National Park, a committee established by the Minnesota state legislature for the purpose of making recommendations with regard to the planning and administration of Voyageurs National Park.

In consideration of the issues involved, it is essential to understand the basic reasons behind the strong feeling of states' rights regarding environmental issues in Minnesota. First of all, the outstanding environmental record of Minnesota speaks for itself. It is one of the most progressive states in terms of environmental standards, and in fact, the constitutionality of such standards have been tested in court because they were in many cases more stringent than those established by the federal government. If other states would follow the lead of Minnesota there would be little need for an Environmental Protection Agency. Secondly, the concept of wilderness preservation was originally inspired by the Quetico-Superior region of Northern Minnesota and Southern Ontario. The establishment of this premiere wilderness area was made possible chiefly through the efforts of Minnesotans and through public acceptance of the wilderness preservation concept among people of the state. This public acceptance subsequently led to the Wilderness Act of 1964, introduced by the late Senator Hubert Humphrey.

In view of this background, it is important to recognize that Voyageurs National Park is very different than the Quetico-Superior area in terms of physical character as well as legislative history. The enabling legislation clearly intends that Voyageurs National Park accomodate a variety of recreational uses. We do not believe that the current management proposal honors that intent, nor do we believe that it honors National Park Service commitments made in the early planning stages of the Park. If the use restrictions currently being proposed had been anticipated eight years ago, there quite possibly would not be a Voyageurs National Park today.

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Mr. Whalen
page Two
March 20, 1978

The committee's proposals do not preclude adequate opportunities for use by hikers and skiers, nor do they present any particular problem with respect to use conflicts. And the proposals can hardly be described as extreme or "anti-environment." Instead they are reasonable proposals that were made with careful consideration to the impact on the environment.

Acceptance of these proposals would diminish much of the controversy regarding Voyageurs National Park and would lead to improved long-range cooperation between the state of Minnesota and the National Park Service.

Respectfully,

Donald D. Parmeter
Executive Director

enclosures

cc: Mr. Robert Herbst
Senator Wendell R. Anderson
Senator Muriel Humphrey
Congressman James Oberstar
Governor Rudy Perpich
Mr. William Nye

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Snowmobile use

The National Park Service proposes to limit the use of snowmobiles to the four major lakes and designated crossing points. The Citizens Committee on Voyageurs National Park proposes a single east-west and north-south snowmobile route on the Kabetogama Peninsula. The following points are presented in support of this proposal:

1. The Congressional hearings on Voyageurs National Park clearly stress the suitability of the area for offering a variety of recreational opportunities for visitors. The hearings also stress the positive impact of those opportunities on the economy of Northern Minnesota. In fact, the projected boost to the economy of the area was one of the principal selling points for the Park.

2. Restricting use to the major lakes poses serious safety hazards. Ice conditions vary from day to day as well as from year to year on these large lakes and only complete familiarity with these changing conditions will ensure safe travel. The Park Service proposal therefore effectively limits use to a very few local people who are extremely knowledgeable of the conditions. This is inconsistent with the concept of a national park. An example of the extent of the risk involved occured recently when a local resort owner who was very familiar with the lakes became temporarily disorientated, strayed onto thin ice, and was in the water for over 30 minutes before being rescued.

3. The original National Park Service Master Plan(1968) specifically states that snowmobiles "would be appropriate when used on existing roads, designated trails, and frozen lakes." In addition, the Plan, in describing a typical visit to Voyageurs National Park states, "A hiking and portage trail would lead from Eks Lake north of Lost Bay to the interior lakes. During the winter it would be open for snowmobile use."

4. The enabling legislation specifically defines snowmobiling as a winter sport. Section 301 states, "The Secretary may, when planning for development of the Park, include appropriate provisions for (1) winter sports, including the use of snowmobiles." However, a forthcoming National Park Policy would presumably define appropriate use as a mode of travel.

5. Increased restrictions on snowmobiling in the B.W.C.A.

have significantly reduced the opportunities for snowmobiling in Northeastern Minnesota.

6. Claims that snowmobiling is a dying sport are unfounded. It is understandable that many people who tried snowmobiling when it was a new and unique sport would not enjoy it enough to justify the cost. However, though use has decreased since the late 60's, trends clearly indicate a leveling off. With one registered machine for every four people in Minnesota, snowmobiling is expected to be a significant winter activity for the foreseeable future.

7. The four alternatives presented in the Environmental Assessment for snowmobile use are misleading. One alternative was to ban snowmobiling in the Park completely. However, since such an alternative is not consistent with the legislative history of Voyageurs National Park, it should not have been listed as an alternative. The "extreme" alternative in the Assesment was that proposed by the Citizens Committee on Voyageurs National Park. However, there are dozens of existing roads and trails on the Kabetogama Peninsula, and from the original Park Service Master Plan, one would reasonably assume that snowmobiling would be allowed on these existing trails. But such a proposal wasn't even mentioned as an alternative! Consequently, the reader, or reviewer, is given the mistaken impression that the alternative selected is a compromise.

8. Statistics with regard to present snowmobile use on land in the Park are also misleading. There has been virtually no trail maintenence in the past few years, and trail signs have been removed by the National Park Service. In addition, there is considerable uncertainty about snowmobiling on land in the Park since use is technically illegal until trails are designated.

9. Environmental damage associated with clearing would be minimal since the proposed trails have already been cleared. Also, the environmental impact of noise has been overstated, since new machines have to comply with increasingly stringent noise emission standards. In the past eight years, noise emissions from snowmobiles have been reduced by 94%. However, the possible impact of noise described in the Environmental Assessment was based on a five year old study.

10. The federal, state, private cooperative snowmobile trail proposed in the current Master Plan is not realistic. The Plan gives the impression that the proposal is that of the National Park Service, when in fact, the route was proposed by the Minnesota Department of Natural Resources as a regional trunk trail. The trail also appears to have been conveniently drawn through several miles of the Park, when DNR planning documents clearly show the route going south of the Park. It would hardly be wise for the state to become involved in the jurisdictional problems associated with a cooperative effort when the additional cost of constructing a few extra miles of trail would be relatively small.

11. The Committee's proposal would not preclude sufficient opportunities for other winter Park users.

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SEAPLANE USE

The National Park Service proposes to limit the use of seaplanes to landing at designated places within the Park, such as Kettle Falls and other resorts, and on waters next to private land in the Park and private land bordering Park waters. The Citizen's Committee on Voyageurs National Park proposes to allow seaplane landings on nine designated interior lakes. The following points are presented in support of this proposal:

1. The congressional hearings clearly stress the variety of summer recreational opportunities for visitors. The hearings also stress the positive impact of those opportunities on the economy of Northern Minnesota. There was no indication from the hearings that seaplanes would be completely restricted from the Kabetogama peninsula.

2. Environmental impact associated with seaplane landings and take-offs is insignificant. In fact, there is a positive impact in that allowing seaplane use will relieve some of the adverse environmental impacts associated with hiking and camping on the Peninsula.

3. The National Park Service proposal effectively restricts use of the Peninsula to a relatively few individuals who are physically capable of travelling over rugged terrain on foot.

4. The proposed Master Plan gives the mistaken impression that Voyageurs National Park is easily accessible by canoe. However, Voyageurs National Park is quite different than the adjacent Boundary Waters Canoe Area. The B.W.C.A. consists of thousands of relatively small lakes connected by short portages. In contrast, Voyageurs National Park consists of extremely large bodies of water and a relatively few number of isolated lakes. The only practical and safe way to canoe in Voyageurs National Park is to have parties flown by seaplanes to designated locations or to have canoes transported by houseboat or other large watercraft.

5. Statistics used in the Environmental Assessment for seaplanes use are misleading. Though the major lakes make up ninety-four (94%) percent of the water surface area of the Park, a very small portion of that area is safe or suitable for seaplane landings. In addition, one of the three alternatives presented in the assessment is to prohibit seaplane

landings anywhere. However, such an alternative is not consistent with the legislative history of the Park. To offer such an alternative results in the impression that the proposed alternative is a reasonable compromise.

6. The Committee's proposal would not preclude sufficient opportunities for other park users. There are twenty-seven (27) interior lakes in the Park, leaving eighteen (18) lakes and numerous smaller bodies of water for exclusive use by hikers and campers.

7.

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WATERS OF BLACK BAY

The current boundary of Voyageurs National Park includes approximately one thousand (1,000) acres of water in Black Bay of Rainy Lake. The Citizen's Committee on Voyageurs National Park proposes to exclude that portion of Black Bay from the Park. The following points are presented in support of this proposal:

1. The portion of Black Bay included in Voyageurs National Park is an important waterfowl hunting area relative to Northern Minnesota. Though there is still much controversy regarding the no-hunting policy of the National Park Service, citizens of the state have reluctantly accepted the fact that there is to be no hunting in national parks. Excluding the waters of Black Bay from the park boundary will alleviate much of the controversy and will lead to improved relations between the state of Minnesota and the National Park Service.

2. The area in question represents only .5% of the total area of the Park and only 1.2% of the total water surface area.

3. During the early planning stages of Voyageurs National Park, the waters of Black Bay were not to be included within the boundary. This is reflected in the 1968 Master Plan which clearly shows the boundary excluding the portion of Black Bay in question.

ATTACHMENT VIII 8

GOLD PORTAGE WATERFOWL HUNTER ACTIVITY SURVEY

By: James Schneeweis,
Area Wildlife Manager

SURVEY: Black Bay Waterfowl No. 1

Abstract:

Waterfowl hunting activity was monitored on the Gold Portage Area of Black Bay, Rainy Lake, throughout the 1973 waterfowl season. Total estimated hunters for the entire season was 509 with 65 hunters being the most using the area on any one day. Total number of hunter boats on the area for the season was 169. Interviews indicated that local Koochiching County hunters comprised the bulk of the hunting pressure. Less than half of the hunters ordinarily hunt waterfowl on other areas of Rainy and Rat Root Lakes. Hunters averaged 1.4 ducks per trip for the season with less-scaup predominating. Hunting activity did not conflict with other recreational uses of the area.

Recommendations:

1. The boundary of the Voyageurs National Park should be moved east to exclude the Gold Portage Waterfowl Area.

2. A wildlife management area should be established on the east end of Black Bay by the Department of Natural Resources.

Introduction:

Waterfowl hunting opportunity in Koochiching and northwest St. Louis Counties is extremely limited. In addition, many of the areas presently hunted will be closed to all hunting with the establishment of the Voyageurs National Park. The most important of these areas is the east end of Black Bay, Rainy Lake, known locally as the Gold Portage Waterfowl Area. This area has traditionally been the place to hunt ducks for International Falls hunters. It is a natural resting and feeding area for northern diving ducks and, during the average year, offers excellent hunting throughout the season. The area itself lies just within the Voyageurs National Park boundary. Because of these facts, an attempt was made by the Department of Natural Resources to have the Park Boundary modified so as to remove the Gold Portage Area from eventual federal control. Although the request was denied by the National Park Service, they did agree to enter into a cooperative project with the Department of Natural Resources to learn more about the area and the recreational hunting use that it receives.

Objectives:

1. To determine total hunting use of the Gold Portage Waterfowl Area throughout the 1973 season.

2. To obtain information on hunter behavior, attitudes and personal history.

3. To obtain information on type of hunting, periods of use, and hunter conflicts with other recreational activities.

4. To obtain information on species composition of ducks harvested and hunter success during the 1973 season.

Study Area:

The Gold Portage Waterfowl Area is located in Koochiching and St. Louis Counties at the eastern most end of Black Bay, Rainy Lake, (T 70 N, R 21 & 22 W). It is approximately 1,500 acres in size with 900 acres of water surface and 14.5 miles of shoreline. Much of the water area contains dense stands of emergent aquatic vegetation, primarily wild rice. Except for a small parcel, the area is in public ownership. Both the shoreline and the upland are, for the most part, in a wild undisturbed state. Access to the area is by water only with most hunters traveling from Island View, Minnesota, a distance of approximately 4.5 miles across Black Bay.

Methods:

Hunter activity was monitored throughout the 1973 waterfowl season. Number of boats and hunters as well as type of hunting was recorded.

A sample of hunters were contacted while hunting and a personal history sheet was filled out for each person.

Hunters were bag-checked while hunting to determine species composition of the harvest. Self-addressed, stamped post cards were given out to a sample of hunters to determine ducks bagged per hunter day.

Results:

Hunter Activity. Hunter counts were made on 16 of the potential 26 open season days from October 1 to November 4. Freeze-up occurred on November 5 and, therefore, no counts were made after that date. Three types of counting methods were used to determine hunter activity. The procedure used most often was to spend the entire day monitoring hunting activity on the area. On other days, activity was monitored from dawn until noon. A third method employed was to make a spot check at mid-morning of hunters on the area.

A total of 240 hunters were counted on the area. Total estimated hunters for the entire season was 509 (Table 1). On days when a count was not made, an estimate was used, based on census data from corresponding days of the week. All estimates were arrived at jointly by personnel of the National Park Service and the Section of Wildlife. The highest number of hunters recorded on any one day was 62 on October 20, a Saturday. The lowest number of hunters counted was two on October 10 and 30 and November 2, all week days. As expected, hunter activity was considerably higher on weekends than during the week. The first three weekends of the season, six days, accounted for almost half (47%) of total hunter activity.

Hunter party size averaged approximately three with a range of one to six. Total estimated number of hunter boats was obtained by dividing average party size into total hunters for a value of 169. This figure can be considered minimal because large parties often used more than one boat for transportation to the area. Also, a number of parties transported canoes or small duck skiffs to the area in the larger boats.

Hunter Personal History. A total of 49 randomly-selected hunters were interviewed while hunting, using the questionnaire in Appendix 1. Mean hunter age was 26 years with a range of 13 to 64 years. Forty-two of the hunters were from Koochiching County, primarily the International Falls area. The remaining hunters resided in St. Louis, Anoka and Hennepin Counties, four, two and one hunter respectively. The St. Louis County hunters were from Duluth.

All of the hunters questioned were hunting with the use of a blind and decoys and 86 percent of those same hunters were using existing blinds. Sixty-five percent of the hunters questioned stated that they hunted the Gold Portage Area during the 1972 waterfowl season with a mean of 6.4 hunts in 1972 and a range of one to 25 hunts. Hunter use of the area in the past ranged from one to 25 years with a mean of 3.2 years.

Less than half of the hunters (41%) said that they ordinarily hunt waterfowl on other areas of Rainy or Rat Root Lakes. That same percentage of hunters indicated that they hunt waterfowl in other areas of Minnesota. However, most of this hunting interest was for geese, not ducks. Only four of the 49 hunters interviewed said that they ordinarily hunt waterfowl in other areas of Koochiching County.

Hunter Success. Throughout the season, a total of 73 hunters, bag-checked while engaged in the hunt, had harvested 83 ducks, three coots and one goose. These same hunters reported crippling 29 ducks during the same period. Species composition of ducks bagged is shown in Table 2. Scaup, primarily the lesser species, made up over 60 percent of the birds harvested on the area. Puddle ducks, as a group, made up only six percent of the ducks harvested and consisted of four species, mallard, pintail, American widgeon,

one each, and blue-winged teal, two. Mergansers, as a group, made up 14.4 percent of the harvest and consisted primarily of the American species. Two hooded mergansers were also included in this group.

A total of 31 self-addressed, stamped report cards were given out to hunter parties throughout the season. Hunters were asked to fill out the card and mail at the end of their hunt. Twenty-one of the cards representing 61 hunters were returned for a return rate of 68 percent. Respondents reported hunting an average of 6.3 hours with a range of one to nine hours. Average daily bag per hunter was 1.4 ducks with a range of zero to four ducks. Hunters also reported a crippling loss of 0.21 ducks for each duck bagged.

Approximately half of the respondents used the "remarks" section provided on the card to comment on the season or the survey. Of these, five expressed dissatisfaction with the season framework, three expressed approval of the census, and the other three remarks concerned ducks bagged, weather conditions, and the National Park Service's take-over of the area.

Estimated total duck harvest on the area for the entire season was obtained by multiplying total hunter days of use (509) by the average daily harvest of ducks per hunter (1.4) for a total harvest of 713 ducks.

Discussion:

Although no hunter survey was conducted during the 1972 waterfowl season, by observation, it appeared that hunting activity was down considerably in 1973. The restrictive season framework was, in large part, responsible for the decline. Many local hunters simply shifted their hunting to the Canadian side of Rainy Lake where a much more liberal season framework was in effect.

In general, the man who hunts the Gold Portage Waterfowl Area is an ardent hunter devoted to his favored sport. Many parties with 50 or more decoys were observed and some actually used over 100 blocks. Hunters who camped over night on the area were common, especially on weekends. One such party included a 13 year old girl, hunting with her father. On at least eight occasions, hunters arrived on the area before 3:00 A.M. with the earliest arrival being recorded at 12:15 A.M. on the first day of the season. This is especially interesting in light of the fact that hunters had to travel at least four miles by water to get to the area.

Other recreational uses of the area were extremely limited during the 1973 waterfowl season. Only two boats were observed in the area engaged in non-hunting activities. Both parties were fishing and one party only fished a short period before setting out decoys and hunting ducks. The potential of the area for non-hunting recreational uses during the waterfowl season does not appear high primarily because of cold weather and rough waters.

TABLE 1.

HUNTER USE BY DAY ON THE GOLD PORTAGE WATERFOWL AREA

FOR THE 1973 SEASON

Date	Type Count	Hunters Counted	Total Est. Hunters
Oct. 1	All day	46	50
2	" "	20	20
3	Spot	13	15
4	--	--	16
5	All day	15	18
6	" "	24	32
7	" "	25	35
8	Spot	9	11
9	"	11	13
10	"	2	4
20	All day	62	62
21	" "	59	65
22	--	--	25
23	Spot	16	22
24	--	--	20
25	--	--	15
26	--	--	15
27	Half day	25	30
28	" "	12	15
29	--	--	8
30	Spot	2	4
31	--	--	2
Nov. 1	--	--	2
2	--	--	2
3	--	--	6
4	Spot	2	2
TOTALS		340	509

TABLE 2.

SPECIAL COMPOSITION OF DUCKS HARVESTED ON THE GOLD PORTAGE WATERFOWL AREA DURING THE 1973 SEASON

Species	Number Bagged	Percent of Total
Mallard	1	1.2
Pintail	1	1.2
American widgeon	1	1.2
Blue-winged teal	2	2.4
Scaup*	50	60.3
Ringnecked duck	6	7.2
American Goldeneye	2	2.4
Bufflehead	8	9.6
Merganser**	12	14.4
TOTAL	83	99.9

* Primarily the lesser species
** Primarily the American species

Waterfowl hunting on the area did not appear to appreciably disturb the ecology of the area. Most hunters used existing blinds and both vegetation disturbance and littering were minimal. If the area were adjacent to, rather than included in the Voyageurs National Park, regulations concerning hunting activities could be easily enforced. This would be especially true if the area would be designated as a state wildlife management area.

Acknowledgements: This study could not have been completed without the valuable assistance of the National Park Service personnel, particularly Ranger Joe Cayou and Naturalist Leland Grim who participated in all phases of the study. I would also like to thank Myrl Brooks, Voyageurs National Park Project Manager, for use of camping equipment and a runabout to travel to and from the study area. The stories and waterfowl expertise provided by the late John Cann on several of the overnight trips proved an inspiration to the entire study team.

88-974 O—82——10

Ducks hassle reaches impasse

BY JIM BLUBAUGH
Of the News-Tribune staff

The Voyageurs National Park hunting situation is something like trying to pry buckshot pellets from the backsides of a million ducks—perplexing.

The situation, after no citations were issued Wednesday to over 100 hunters challenging a park ban on hunting, appears at an impasse. There appears to be no certainty as to what will happen next.

John Furuseth, an International Falls attorney representing "Concerned Citizens," claims the hunters' challenge of the ban will continue. He claims the problem is being caused by the National Park Service's refusal to allow hunting and snowmobiling in the park.

The situation is such that park Superintendent Myrl Brooks has appealed through this newspaper for a meeting between the hunters' leaders, Furuseth, the Minnesota Department of Natural Resources (DNR) and the park. He says the hunters are not armed with the full facts and the situation should be resovled before there is "more bitterness and confusion in a muddled air."

There were no citations issued Wednesday, Brooks said, because park rangers weren't at the scene—the Gold Portage area on the east end of Black Bay near International Falls. Brooks said the park service doesn't want to inflame the situation.

"We want to do everything we can to keep this situation from becoming more bitter," Brooks said. "We feel reasonable men can sit down and talk about it when the complete information is at hand. We have time, and rational men can take time to think it out."

If the hunters are not fully informed—though Furuseth says they are informed—it apparently stems from a clarification by the DNR of its position in the situation. Deputy Commissioner Clarence Buckman made the announcement Tuesday, but only a small portion of the press received it.

Buckman said the DNR would not support the hunters' challenge of the ban, but would continue to work for the withdrawal of Gold Portage from the park. He indicated the federal ban would stick as far as the state is concerned.

Furuseth calls the DNR announcement "a breach of faith." He said a DNR representative at a meeting last week "came out strongly in favor of the position up here...two days later they turned around and said something else.

"The situation is certainly disheartening to say the least. What we are faced with is another situation of a bureaucracy that refuses to listen at all to the people concerned...the people that live here in this general area."

Furuseth accused the park service of

Continued on Page 13, Column 1

Ducks

From Page One

being guilty of a breach of faith, too. "The breach of faith is this:

"In the initial act that was passed, we were promised up here by the park service and their representatives that snowmobiling and hunting, for two, would be allowed insofar as wasn't inconsistent within the purposes of the national park.

"Our position is that after October, and into the cold winter months we have here, that there is nothing inconsistent with the purposes of the park to allow duck and deer hunting and snowmobiling, snowmobiling on trails which have been paved for years by Boise Cascade.

"When the act was adopted in its final form, the last six months, the park service has been baring its teeth at us and saying 'you can't do this and you can't do that.' Everybody's going to keep on hunting, there's no question about that."

The next step, Furuseth said, is up to the park service. "It's back in their laps: exactly where it should be. They are the ones causing all the problems. They have within their discretionary powers to allow hunting. They have chosen not to do so."

Furuseth accused the service of arbitrarily setting laws despite owning only one-quarter of the park's land acres. "They declare they own all the rights to the water, yet the DNR stated differently. They are telling the people what they can do without even first acquiring the land bounding the water they are claiming ownership to. We would like to see and we would like to hear some federal—or state legal sources' opinions or whatever is possible about this."

He said the park service should distinguish between Voyageurs, mostly a water park, and land parks, such as Yellowstone and Yosemite. "We should not be hamstrung by regulations they have set for other parks."

Brooks said that he would keep his options open as to enforcement of the ban. He stressed that the park didn't want to add to the bitterness, however.

As to a meeting, Furuseth couldn't be reached after Brooks' appeal. But he earlier noted that the park service didn't attend a morning meeting of the hunters "although Myrl Brooks lives four blocks away" from the meeting site.

"The park service keeps talking about input. We saw no wardens on Black Bay at all. Their favorite word seems to be 'input.' It's about time someone put out."

There were few hunters, but Duluth area conservation officer Carl Sundstrom said he saw a few hunters with limits of ducks. He saw only one bagged goose, however.

Duluth News-Tribune

VOL. 106—NO. 165 DULUTH, MINN., WEDNESDAY, OCTOBER 1, 1975 15 Cents Lower by carrier

Hunters aim to shoot down Voyageurs ban

BY JIM BLUBAUGH
Of the News-Tribune Staff

No, the Koochiching County Jail should not be full of duck hunters tonight.

At least that's the way the chief ranger sizes up today's planned invasion of Voyageurs National Park waters by International Falls area hunters. In fact, says Bob Walker, there's a chance that only a few—if any—citations will be issued.

Spokesmen say about 300 Falls area duck hunters plan to challenge a park ban on hunting by showing up en masse for today's duck season opening. They, presumably with the blessing of the Minnesota Department of Natural Resources (DNR), hope to challenge the ban in court.

But Walker says the National Park Service doesn't plan to make a "grand scale action" out of the situation. He feels in almost every instance the hunters will be committing no more than a petty offense.

And a petty offense, notes Walker, does not mean a trip to jail. Rather, it means a citation is issued for the person to show up in court at a later date.

But one citation is all the hunters need to challenge the ban. Somewhere along the line, it can be assumed, they will get one.

The gathering in the Gold Portage area at the east end of Black Bay on Rainy Lake should provide most of the action for today's noon opener in Minnesota and Wisconsin. Because Minnesota hunters have to quit by 4 p.m. and Wisconsin hunters at sunset, a light turnout is expected prior to the weekend.

The Voyageurs Park controversy, while centering on hunting, goes way beyond that. The real issue is jurisdiction over the waters.

The state DNR feels it has jurisdiction over direct management of the waters. The Park Service has indicated the dispute should be settled by the courts—a procedure which could take months.

Meanwhile, the duck hunters are caught in the middle. They've been told by the Park Service that they can't hunt and by the DNR that they can.

When and where the hunters and park rangers will meet is uncertain. In fact, there's probably a chance (slight) that they won't meet.

Walker says the park's plan of action won't be determined by Superintendent Myrl Brooks until the situation can be analyzed. Brooks conceivably could let the situation temporarily blow over and let the hunters hunt.

Chances are, however, because the park feels it has enforcement jurisdiction, rangers will at least observe the situation. What will happen after that is anybody's guess.

Walker, however, feels the people will be given the benefit of the doubt because the ban is a new regulation. "There's liable to be a lot of conversation reminding people of regulations...verbal or written warnings, if you want to call them that."

Walker said the park has no intention of making any arrests (jailable offenses) except for extreme or severe violations, "and firearms and hunting don't fit into that at all. The violation will have to verge on the nature of a felony before we make any arrest—except for drunkenness or something like that."

Rather, Walker says, rangers will try to stick to verbal warnings and citations at the most. Any person receiving a citation would be required to appear at a given time before a Falls magistrate. The next step would be U.S. District Court in Duluth.

While the DNR-Park Service jurisdictional dispute most likely will be settled in the courts, the hunting ban could be solved by other means. The Park Service could administratively remove the Gold Portage area from the park or Congress could modify the boundaries.

The Park Service indicates a change should go through Congress. The DNR, however, which in 1972 asked that Gold Portage be withdrawn from the park, feels the change is minor and could be handled administratively.

Deletion of the area would solve the duck hunting problem. But that will take time and what will occur over the next 50 days of duck hunting season is unresolved.

As for the over-all duck hunting season, the picture is good in Minnesota and Wisconsin—or at least better than in recent years.

But the over-all waterfowl picture still is short of perfect. There remains a serious shortage of canvasbacks and redheads and a lesser shortage of mallards, blackducks and wood ducks.

Hunters should check regulations carefully, state and federal officials note, because they have become increasingly complex in recent years.

AN OPEN LETTER

TO VOYAGEURS NATIONAL PARK ASSOCIATION

Mr. Wayne Judy, President
Voyageurs National Park Association
% Sportsmen's Service
International Falls, Minnesota — 56649

Dear Wayne:

In response to your open invitation to "anyone having questions about the proposed Park," this organization has many, many questions in this regard to which we have tried to find an answer in the past from both your organization and the National Park Service. We are, therefore, delighted with your offer and hasten to put a few of these questions on the record so that you may clarify them for us.

Before proceeding, may I point out a fact which I am sure is well known to you but has, for some reason, been deliberately obscured by the proponents of the Park? Boise Cascade is NOT the only opposition to the proposed Park on the Kabetogama Peninsula. This organization has no affiliation with Boise Cascade, but has been continuously on record in opposition to the proposed Kabetogama also since the facts of the contemplated acquisition were first brought to light at the meeting in Bodine Auditorium in September, 1964, and has continued consistently in opposition since then.

We have been joined in our stand by a vast majority of the people present at the meeting at Bodine Auditorium as well as over 90% of the people who attended the public hearings conducted on this matter by the MORRC Commission at Kabetogama in June, 1965. Therefore, we would appreciate no further mention on the part of your organization that only the timber interests are opposed to the proposed Park also when you and your organization are well aware the contrary is true.

These, then, are the questions submitted by citizens other than the Boise Cascade Corporation:

(1) Is membership in the local and state Voyageurs National Park Association open to all persons interested

in a national park for Minnesota, or only to those that want a national park on the Kabetogama Peninsula only?

(2) Is the local chapter of the Voyageurs National Park Association opposed to the selection of an alternative site for a national park in Minnesota in other than the Kabetogama Peninsula area?

(3) Does the National Park Service plan to condemn all private lands in the peninsula area if owners refuse to sell for park purposes?
National Park officials stated at the public hearing in International Falls on September 15, 1964 letters approximately 100 parcels that they have never used large scale condemnation proceedings in establishing a park except for small parcels of land essential to park development and the question is, has this policy now been changed?

(4) Exactly what additional sites outside the presently proposed park boundaries will be needed or taken for park headquarters, information centers, park communications, access developments, parking lots and the like?

(5) What will happen to the holders of state recreational site leases within or adjacent to the proposed area if a park is established? There are over 300 summer homesites, many of them on such leases and many of the lease holders have spent considerable sums of money for summer home development.

(6) Will any of the existing resorts be taken over by the Park Service on Lake Kabetogama, Black Bay or Rainy Lake?

(7) Is it fact or rumor that the "Gold Shores" subdivision will be taken over by the Service and if fact, to what extent?

(8) Precisely what locality will be selected for a marina, launching and mooring facility which will reasonably be a stable area if Park Service predictions of annual visitations materialize?

(9) How does the Park Service propose to spend $7-8,000,000 for three visitation centers and six campgrounds when it is stated that this sum does not include any acquisition?

(10) One of the park officials was quoted in the International Falls Daily Journal on June 19 to the effect that one dozen boats in the peninsula area as a national park was the central dam at Kettle Falls saying "he would like to see it as the voyageurs are it" (without a dam).
The question is, is it a part of the Park Service's plan to remove this water control dam at Kettle Falls and do they also consider the possible removal of the dam at International Falls which was on the main voyageur's highway route? This, of course, would force the closing of the paper mills at International Falls and Fort Frances.

(11) Is it also a part of the tentative plans of the National Park Service to develop the Rainy River and Lake of the Woods portions of the boundary waters in Minnesota as they also were a part of the voyageurs route and this would be the only remaining part of the route not under government control, if the Kabetogama Peninsula were taken for park purposes?

(12) Has the National Park Service given any consideration to the possibility of a park being placed in the Crane Lake-Loc Lo Croix region or in the Grand Portage, or other areas along the boundary waters?

(13) A member of the local chapter of the Voyageurs Park Association has stated that a national park will have to be on the Kabetogama Peninsula or there will be none in Minnesota. This reiterates the statement quoted as coming from Secretary of Agriculture Freeman's to the Duluth paper to the same effect. What are the bases for this remark?

(14) Does the National Park Service and the Voyageurs Park Association believe that it is more desirable to purchase or to condemn private property for park purposes rather than to require that two governmental agencies work together to reach agreement on a potential park area already in federal government ownership? (In the past 14 such exchanges have been made from the Department of Agriculture to the Department of Interior or National Park Service uses.)

(15) Will the boating regulations published in August, 1964 by the National Park Service and covering regulations in effect in the National Park system apply to the Kabetogama Peninsula area, if it is made into a park? These stringent regulations require such things as written permits to such actions as leaving boats unattended outside f designated mooring and beaching areas for periodic stays of 24 hours and for allowing persons to sty overnight in vessels in designated mooring areas. They prohibit the use of any floating living quarters (houseboats) on any waters of parks. They prohibit vessels in excess of 40 feet from operating in national park waters. They prohibit any hazardous developments such as docks, etc. They prohibit the transfering or operating of any motor boats on waters not accessible from designated public roads unless written permission is first obtained. If these current regulations do not apply, what regulations will?

(16) Is it contemplated that the area of the proposed National Park would be entirely water visitation except to entry points now served by public roads? If so, what use would be made of the remainder of the lands within the boundaries?

(17) What measures would the Park Service take to control deer, beaver and other wildlife populations, forest fires and insect epidemics, to salvage windstorm damaged areas and to protect and improve scenic values? Will Park officials harvest the excess deer herd in the same successful manner as they exterminated the excess elk herds at Yellowstone Park?

(18) Can the National Park Service cooperate in other than research thru the U.S. Fish and Wildlife Service and the State Conservation Department in improving fish populations in park waters?

(19) Is it the belief of the local committee and the National Park Service that the Kabetogama area can only be preserved and developed by dedicating it solely to recreational use and only under the control of a federal agency?
The area has been under private Multiple Use Management for over 30 years and suddenly it must be protected from the owners who have maintained it in such excellent condition that the National Park Service now covets the area.

(20) Many members of the local chapter of the Voyageurs National Park Association have summer homes on Rainy Lake either on the American or Canadian sides. Is it the feeling of these chapter members that this

privilege be reserved to them alone, and that it be denied others in the future, which will certainly be the result if the Kabetogama Peninsula is tied up in a National Park?

(21) The brochure issued in July, 1964 by the National Park Service entitled, Proposed Voyageurs National Park Minnesota on page 27, last paragraph states:
"It would also be most desirable if our good neighbors in Canada could institute a similar program so that management of the natural resources on both sides of the International Boundary would be compatible. The history as well as the natural resources of both Nations is so closely interwoven here that they are inseparable."
Does this mean the National Park Service is suggesting interference with the domestic internal policies of our good neighbor to the north; Canada?

(22) What exactly are the proposed park boundaries, and what assurances could you give us that these will not change with the next wind from Washington?

Sincerely,

H. H. Townsend, President

NORTHLAND MULTIPLE USE ASSOCIATION, INC.

THIS IS OUR STAND: We Support Private Enterprise and Private Ownership Under the Safeguards of the Joint St. Louis and Koochiching County Planning Commissions to Provide Multiple Use Of Our Resources Instead Of A Single Purpose Lock-Up, Especially and Particularly When Such A Vast Amount Of Area In Northern Minnesota Is Already Controlled For Single - Purpose Use By the Federal Government.

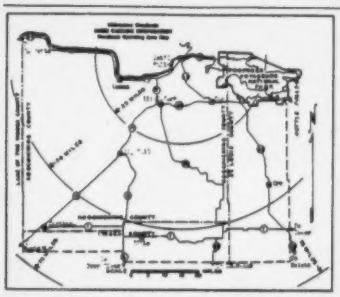
WHERE DO YOU STAND?

IF YOU BELIEVE IN OUR STAND, YOUR CONTRIBUTIONWILL BE GREATLY APPRECIATED IN HELPING TO CONTINUE THE FIGHT TO MULTIPLE USE

NORTHLAND MULTIPLE USE ASSN., Inc.

Box 666, International Fls, Minn. 56649

Park At Kabetogama, A Costly Mistake?



RELATIVELY CLOSE to Intl. Falls mills, Kabetogama area plays a vital part in our present supply program. Map at left

Operation and Growth of Industry Depend on Assured Wood Supply

Mann Schmitz

Hahn

Boise Cascade now supplies all of Minnesota's paperboard needs, 80,000 tons annually, which opportunity if not [illegible] Lake of Coniferous [illegible] and operations as a [illegible] and expanding there for the [illegible] Boise Cascade [illegible] Falls, Minn., [illegible] Falls, Minn., [illegible] Falls, Minn.,

THE DAILY JOURNAL, International Falls, Minn., Thursday, June 4, 1981 -

Park developers seek hearing to relocate Big Vic

By JIM PUMARLO
Managing Editor

Voyageurs National Park (VNP) may well have two developments at Black Bay.

The first would be the proposed National Park Service (NPS) headquarters at Black Bay Narrows. That's awaiting legislation and money at the federal level.

The other, just disclosed this week, would be located directly across the waters on the bay's western shores in the Rainy Lake City area. Proposing the development is Wilderness Properties Inc., whose sole stockholders are Vic Davis Jr. of Fort Frances, and John "Butch" McHarg and Carl Brown of Ranier.

THE PRIVATE park is only part of the overall plan to be carried out by Wilderness Properties, as explained by McHarg.

The first step is an appearance before the Koochiching County Planning Commission at 7:30 p.m. today in the courthouse. Wilderness Properties will request a public hearing to get a conditional-use permit to place a statue at Black Bay. A public hearing still would need to be conducted and the County Board then would act on the recommendation.

Plans are to move the 25-foot fiberglass statue of Big Vic from Little Cranberry Island to Black Bay on July 4. Calling it a fitting day to make the move, McHarg said it would represent the "independent thinkers and independent people" of northern Minnesota.

The other part of their initial plan is to build several year-round homes on the north side of Drywood Island. They would sport modern conveniences but would be kept in a wilderness setting. Trails will be developed for an aesthetic look but such services as central sewer and electricity would be provided.

The firm has purchased other private property within VNP, but McHarg declined to say where. The Black Bay property, approximately 25 acres, was acquired from Frank Keyes Inc. of Ranier and the Drywood parcel, about 80 acres, from Renea Keyes Phalen of Alexandria, Va.

"We're not fighting the park, but are fighting some of the national attitudes in regard to managing a park," McHarg said. His group believes the NPS should either buy the private land or allow people to utilize it as they please. "There's plenty of acreage set aside now for no development." He called their plans a good approach to recreating the land without being a detriment to VNP or anyone else.

THE FIRM could hit a stumbling block with the Planning Commission if it denies a conditional-use permit. And Drywood development could be stopped if the Justice Department condemned the property. If either happens, McHarg said their attorneys would pursue the matter.

But McHarg doesn't believe they will be stopped, especially in view of Interior Secretary James Watt's opposition to more purchases of private land.

He also explained that Wilderness Properties has other private land within VNP which is zoned residential, ready to accommodate structures. No permission would be needed from the Planning Commission.

The park also would include picnic tables, camping area and boat docking and landing facilities.

CONSTRUCTION ON Drywood could begin this year, McHarg said. They are in the process of getting the land platted. Up to 18 lots are planned, each to be one acre with 150 front feet. Care will be taken to make the development both cohesive and eye-appealing.

"The only thing that could stop us from proceeding are guarantees for the local people — areas that could be managed as a national recreation area as opposed to a park," McHarg said. They have outlined these on a map.

And the group also will continue to pursue the state water rights' jurisdiction and the School Trust Fund land issues.

"There's a number of things the park needs the people for," McHarg said. He believes their ideas could benefit all parties involved, especially if certain areas were returned to multiple-use.

"We have tried to work with them," McHarg said, referring to NPS officials. "We've always been in the position of trying to negotiate a settlement in the best interests of the people."

For the last decade, he said, the NPS has promised a great influx of people and tremendous economic impact on the area.

"Personally, I feel I've seen just the opposite," McHarg said. A permanent park headquarters has yet to be established, he noted.

This project, if it's realized, will prove that people can use their land, he said. "Simultaneously, it will do more good than all of their plans and public hearings in the last decade." It will generate money for the county.

McHarg acknowledged that one motive for Wilderness Properties may simply be profit-making. But he added, "Anybody in the United States has a right to take a risky venture."

Voyageurs National Park:

The mermaid of Rainy Lake, hand-cast in concrete by a summer resident years ago, just to brighten up the lake.

Not Everyone Wants It. By CHARLES DAVIS

If you happen to visit International Falls on a lonesome weekday night and want some excitement, just start talking about how great it will be when Voyageurs National Park comes to the area.

Then duck.

If you don't, you're apt to get poked in the mouth. At the very least, you'll get a long, impassioned lecture detailing 300 reasons why the people in the area don't want the government to build a national park on Rainy Lake.

One businessman from the Crane Lake area on the south side of the proposed park site sums up the feeling of a lot of his neighbors when he says, "If those legislators want a national park so damn bad, let 'em build it on Lake Minnetonka. They can have their park and the hippies and the pollution and all the stuff that goes with it. We don't want it up here."

Not all the opposition is on such a gut emotional level. Much of it is reasoned and urbane, leaning heavily to position papers full of tax roll projections, ownership ratios and the like.

But the hostility is still there. A resort owner on Lake Kabetogama can talk for 15 intelligent minutes, citing facts and figures to buttress his opposition. Then he will close his case by saying, "If they build that park, I know some time a fire will start.

"And we won't lift a hand to stop it. We'll let it burn out and die a natural death. That's better than letting the politicians murder this land with their park."

Some basic history:

In 1891 the Minnesota State Legislature petitioned the President of the United States to set aside a tract of at least 60,000 acres on the Minnesota-Canada border between Lake of the Woods and the Crane Lake area for a national park.

Nothing happened. From time to time the idea came up, but no action was taken.

In 1962 the idea of a national park in this area finally came alive. At that time the State of Minnesota — under Governor Elmer L. Anderson — asked the National Park Service to make an in-depth study of the Rainy Lake-Kabetogama area as a possible national park site.

In 1966 the Park Service made its recommendation. A tract of 104,000 acres comprising the Kabetogama Peninsula, Kabetogama Lake and the American part of central and eastern Rainy Lake should be developed as a national park.

That's when the shouting began.

No matter how the Park Service packaged the proposal, there were several continuing features of the Voyageurs National Park plan that many local residents have never been able to accept.

First was the area chosen for the park. Centered on the Kabetogama Peninsula (which forms the southern shore of the easternmost 25 miles of Rainy Lake) the park would also include all of Lake Kabetogama and thousands of acres of its southern shore.

It was not the park as such that roused local ire. It was the location chosen for the park.

Harry Davey, editor and publisher of the International Falls "Daily Journal" says, "We opponents of a park-on-the-Kabetogama-Peninsula are not opposed to a national park. We simply want Uncle Sam to put it on land that he already owns and controls and which is just as suitable (if not more so) for park purposes."

In a position paper prepared by the Minnesota Arrowhead Association for presentation at a Congressional hearing on the park proposal in mid-July the case was stated thusly:

"The Federal government already owns over 2.2 million acres of land and water in northeastern Minnesota. "A glance at the map dramatizes this well. Starting at International Falls, where the Rainy River enters Rainy Lake and moving eastward (to the west is Lake of the Woods, with river lowlands on one side, swamp, bogs, and bare prairie on the other) we find that the only privately owned land on the whole border is the 40-mile stretch between International Falls and Kettle Falls on the eastern end of Rainy Lake.

From Kettle Falls east there is Superior National Forest, a small state forest area, and Grand Portage Indian Reservation, in the extreme tip of the Minnesota Arrowhead.

"The only thing that makes this land different from all the rest up here," says Stuart Sheldon, president of the First National Bank of International Falls, "is the fact that it is privately owned. Apparently it's easier for the Park Service to acquire land from private owners than it is to get it from another federal agency."

Adding insult to injury, park opponents say, the Blatnik addition to the original park bill called for adding another parcel of land, which would include most of Crane Lake, to the southeast of Kabetogama.

"They have to be crazy to think they can build a wilderness park up here," says Bob Congdon, owner of Voyageire Houseboats on Crane Lake. "I've fought this park all the way. I've been to Washington twice, and the more I hear about it the more things I find wrong."

Congdon, president of the Crane Lake Commercial Club (500 members, and "we voted 100 per cent against the park") tallies off the organizations he is connected with who have taken positions opposing the park. "I got the VFW to take a vote against it at their state convention. I'm a director of the Arrowhead group, which went 91 per cent against, and I helped convince the Sierra Club to vote against it."

His position as a businessman is simple: "We sell wilderness up here. They talk about drawing a million people a summer to the park. Well you can't have a wilderness with a million people in it — that's insane."

"This is thin land," says banker Stuart. "Our soil is thin. We have little industry. A small population. This land cannot stand the pressure a park would put on our resources."

The general consensus appears to be: "Build a park to the east in the Boundary Waters Canoe Area, on Lake La Croix, or at Saganaga Lake. But leave Kabetogama alone!"

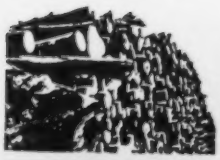
At this point, one question becomes very pertinent: who owns the Kabetogama Peninsula?

Boise Cascade.

Actually, the Boise Cascade lumber company owns 47,000 acres of the 104,000 proposed for the park, or 47 per cent. Another 17 per cent of the land is owned by various private parties and the remaining 36 per cent is government owned.

George Amidon, regional manager of the Midwestern and Canadian Wood-

An example of what people in the area are fighting to preserve.



Boise Cascade consumes tons of lumber every day making paper and paper products.

George Amidon—"The only way to preserve a forest is to manage it — the way we have managed the Kabetogama peninsula the past 20 years."

Robert Congdon—"Well, you can't have a wilderness with a million people in it—that's insane!"

lands for Boise Cascade Corporation, he refers to himself as a "forester" says his company has vigorously opposed the park for six years.

"That needs some explaining — a little history," he says. Testifying before a Congressional hearing on the park last month, Amidon supplied that history.

Boise Cascade acquired the timberlands in question in the early 1940s. At that time, the company offered to exchange its Kabetogama holdings for other government lands. (A fire in the 1930s ravaged much of the eastern end of the area and left the timber in bad shape.)

The offer was rejected and Boise Cascade was accused of attempting to trade bad land for good. In 1949 the company embarked on a planned forest management program for the area.

"There is more lumber there today than when we got the land," says Amidon, "even though we have harvested about 1.3 million trees since 1949. We have made the land so valuable that now the government wants the land for a park site. This is a great tribute to our stewardship, but . . ."

A chief objection by Amidon to the park proposal is that the National Park Service has an absolute "no-cut" policy in national parks. "We cut a lot of timber in state and national forests," he explains, "using scientific management methods which improve the forests. But making this a national park would take away 46,000 acres of our best timber land located the closest to our base of operations in this state. We can't go along with this."

What the no-cut policy means, says Amidon, is the ruination of a forest. "Forests have life-cycles," he says. "If they are left alone, they eventually fill up with deadfalls, with brush and undergrowth. Maybe the beaver population explodes and thousands of acres are flooded from beaver dam flowages. Or there may be a disease epidemic.

"Nature solves this with forest fires, caused by a stroke of lightning. The land burns over and the forest starts all over again — but these cycles take centuries, and the forest is always in a state of change: either building to a new climax from an old fire or falling into ruin on the way to a fresh natural disaster."

"The only way to preserve a forest is to manage it — the way we have managed the Kabetogama peninsula the past 20 years." He points out the examples he used in making his case are all drawn from the history of the woodlands in question. "We controlled the beavers, we cleared the deadfalls, we controlled the underbrush, we thinned the forests so the trees would not multiply and cause stunted growths.

"If a national park with a "no-cut" policy is created here, it will eventually destroy the forest. We have to work to prevent that."

Dollar-and-cent arguments also are used in opposition to the park, in terms of the economy of the region and in regard to the cost of the land.

Jim Tomcsak opposes the park. He and his wife, along with his father-in-law, Eli Maunimo operate the Gateway store and gas station at the Highway 53 exit into the peninsula.

Both have many objections to the park. "People think we'd support it because it'll help our business," says Tomcsak. "But we don't. If that park comes in, all we'll have here is garbage and pollution. And that doesn't even consider the cost.

"The government says it'll cost about $19,000,000 for the land. Baloney! With all that lakeshore to buy, it's more like $50,000,000 for land. And for what? We already have all the advantages they claim they'll bring us, plus a few things like hunting and peace and quiet and clean country, which we won't have if that park comes here."

Though a lot of figures about what the park would cost have been published, the Minnesota State Senate Committee of the Public Domain, in a report which was not favorable to the park proposal, stated "adequate cost data has not been developed."

A cost study prepared by the Minnesota Arrowhead Association attempts to determine the true cost of acquiring the land involved. "There are over 500 miles of shore line included in this acreage," the study says, "and even at a cost of $20 a front foot the cost of the shore line property alone would exceed $50,000,000."

Sheldon says that a more average price for shore line frontage might be $35 a foot, or more.

Though proponents of the park have boomed it as the economic salvation of the area, opponents scoff at the idea. For one thing, they say, it would seriously hamper the operation of Boise Cascade, the major — for all practical purposes, the only — employer in the area.

"We all live off Boise Cascade up here, to one degree or another," says Bob Congdon.

For another they challenge the argument that the park would draw a million people a year. Isle Royale National Park in Lake Superior, the only water-based national park we have now, drew just over 10,000 people last year.

Two reports which attempted to gauge the economic impact of the park in dollars brought into the region came up with figures of $4,000,000 and $35,000,000 respectively.

"There's another side of the economic picture the park people don't even talk about," says Sheldon. "I'm a banker, and I look at the dollars closely. They don't take into consideration the land this park will remove from the tax rolls.

"There isn't enough land on the tax rolls up here now. Cook county has only got nine per cent of the land for tax purposes, for example."

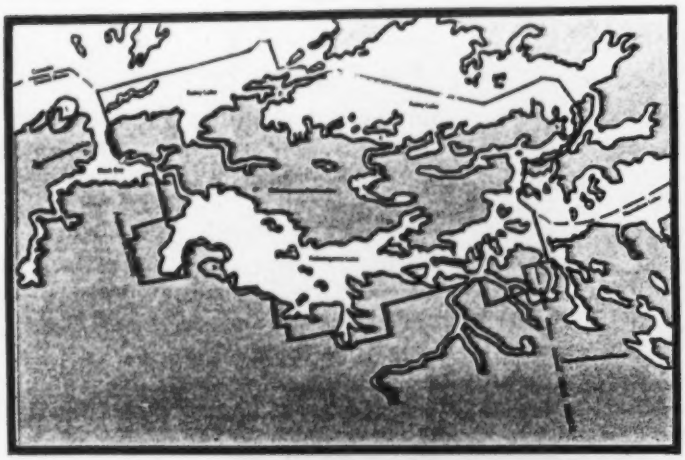
The position paper of the Arrowhead Association sums up this side of the argument succinctly:

"The park would remove another 60,000 acres from the tax rolls which presently represents $80,000 — $70,000 a year to St. Louis County;

"The highway costs alone to provide access . . . would be in excess of $20,000,000."

In answer to arguments that the park is necessary to preserve the wilderness or to develop recreational facilities for the masses, opponents have a ready stock of answers.

"The land is being preserved now," says Amidon. "Lumber and forests are the life-blood of Boise Cascade. We



GENERAL DEVELOPMENT PLAN
Proposed Voyageurs National Park

1. **NEIL POINT**
   Park headquarters, visitor center, marina, camping, picnicking.
2. **BLACK BAY**
   Camping, launching ramp.
3. **STATE POINT**
   Visitor center (seasonal), marina, camping, picnicking.
4. **SUCKER CREEK**
   Docking facilities, primitive camping, picnicking, hiking.
5. **SAGINAW BAY**
   Docking facilities, primitive camping, hiking.
6. **KEMPTON CHANNEL**
   Docking facilities, primitive camping, picnicking, hiking.
7. **LOST BAY**
   Docking facilities, primitive camping, picnicking, hiking.
8. **SULLIVAN BAY**
   Visitor center (seasonal), marina, camping, picnicking, hiking.
9. **KETTLE FALLS**
   Food and lodging, marina, camping, hiking.

would never do anything to damage the woodlands—that's nonsense.

"And, as far as recreation, we already have 30 campsites on the peninsula maintained at company expense — open to the public at no cost."

Bob Congdon is sarcastic about congressmen who made references to, as he says, "a pristine wilderness park" at a recent hearing he attended to argue against the park. "My God, at one point in the park they're only 50 feet from Canada — which plans to develop their side of the lake, and even encourage mining there. In another place their wilderness park is only 500 feet from a liquor store and over 60 summer homes."

The solution to the dilemma proposed by those who don't want the park is either (1) move it to the east or (2) develop a multiple use plan that would combine recreating, lumbering, hunting, resort business and other activities. "In other words," says Tomczak, "exactly what we have now."

A group formed to oppose the park has chosen the name of Northland Multiple Use Association. Secretary of the organization, Mrs. Rae Burchell, and her husband have operated a resort on Lake Kabetogama for 30 years. "We built it out of nothing and my husband spent the winters cutting ice by candlelight so he could sell it and feed us," she says. "Now they want us to give this lake away!"

Her son Allen adds another argument to the list. "This is not downtown Duluth — this is wilderness, and this lake is a nasty piece of water. I've spent my life on it and it scares me at times. Can you imagine what will happen when we have tens of thousands of tourists up here? They'd have a lot of bodies to pull out of this lake."

Eli Mannisto doesn't need a lot of facts and figures to state his case. "I came here in 1917 and I've lived on Lake Kabetogama for 53 years, longer than anyone.

"All we want is to be left alone."

Charles Davis is a Twin Cities writer, lecturer, critic and outdoorsman.

Photos by Frank Agar

Monolithic rocks on the shore of Rainy Lake form a breath-taking backdrop for the lake.

Senator WALLOP. The last witness is Mr. Ennis.

STATEMENT OF ARTHUR F. ENNIS, FOREST RESOURCE CONSULTANT, WASHINGTON, D.C.

Mr. ENNIS. My participation in the park area dates back to 1949 when I first started working out in that country, and the first page of my presentation gives you a blow by blow account which is one involving cruising the park and working it from one end of it to the other, but also walking from north to south and constructing in that particular area a number of campgrounds and campsites, I think a number of which are still in use by the Park Service.

But I'm going to let it go at that because we have limited time. I'd like to speak to the points of the bill. I've always thought it's good to see, for all of the reasons that have been given, the objective here is to house clean this bill and include the 180 acres on Black Bay Narrows.

As far as the ranger station is concerned, that was the point of entry for myself during the 4 years. It was always a question in my mind as to why this was not included in the very first instance. It was, if you will, a deep water port for entrance. It's a marvelous place to get out of and into the park, and by all means it should have been included.

For those of you who have been on the lake during the storms and the weather conditions there, it's quite obvious it controls access to the parks, and it's essential that it be a land access. And this too I think is a very fine addition. I hate to see Congress bother with this house-cleaning activity, but these things were omitted or included as the case may be, in the original legislation, simply because the people who were developing that legislation were not as keenly aware of all the problems as perhaps some others.

We're talking about road access. The thought that anyone can come up in a short period of time with a comprehensive road access plan, is I think a little bit ludicrous. It would be my recommendation that the 1-year limitation be stricken from the bill because this is a very rough, very uninhabitable piece of property, and to develop road access into that whole area, I think if you're talking about studying the major road accesses that's one thing. If you're talking about road access for park utilization, it's something else.

In my many years working with the park and attending the hundreds of meetings on the Voyageurs National Park and both Senate and House hearings, it was never my understanding that the historic uses of Black Bay would be denied to the public. And I think that is quite important.

In northern Minnesota where the coffeepot boils on the back of the stove and where one hears what one expects to believe, the resident population up there just feels that they've been shortchanged and misled on this entire issue. And I've lived in that country for many years.

It was also understood that land acquisition was to be completed and that it would move forward, subject only to the normal buyer-seller disagreements, but never due to a lack of funding. And I think this is a serious point of contention.

As far as the State of Minnesota's ability to manage the Black Bay area as a conservation area, I have worked with those people for 32 years and never yet found them to be dishonest or disloyal to people or to their profession, and I think both their technical and philosophical ability to prepare and carryout programs compatable to both the park's interests and the public needs is certainly, they have certainly been demonstrated.

That's all I have, Mr. Chairman, and I wholly support the legislation of S. 625.

Senator WALLOP. Thank you very much.

[The prepared statement of Mr. Ennis follows:]

ARTHUR F. ENNIS 2911 39TH ST NW - WASHINGTON, D C 20016 - 202-965-9358 or 338-7259

Testimony
before the

Senate Subcommittee on Public Lands and Reserved Water

Hearing on S.625

October 29, 1981

My name is Art Ennis, representing myself at this hearing. I presume to speak to S.625 by virtue of my long long association with and interest in this issue.

For me it began in 1949 when I participated in an operational timber cruise for the Alfred Johnson logging operation as a forester for my employer, the Minnesota and Ontario Paper Company. Over the years I spent considerable time on the Peninsula in the course of management planning and special studies concerning the natural resources of the area.

In the mid 60's I was assigned the task of surveying Company lands with recreational potential and developing a management plan for those lands. Shortly after completion of the project, the Minnesota and Ontario Paper Company merged with Boise Cascade Corporation and at the direction of the new management I began implementation of the plan. During the next four years I constructed eighteen remote campsites, six picnic areas, six campgrounds, miles of snowmobile, hiking and portage trails, maps and guides to the free public use facilities available on Company lands within what is now known as the Voyageurs National Park.

As an expert on the lands and waters and recreational use of the property being considered as a national park, I served as one of several spokesmen for the Company. This led to participation in numerous meetings and with the many factions involved in an issue of this magnitude. Upon passage of the Act, I was involved in the negotiations leading to the sale of Company lands and properties to the Department of Interior and formulation of Company policy to assist in whatever way possible to make this the best of all national parks. To that end, I worked not only in the Company's behalf in the orderly transfer of final and drafting board stage maps, documents and information, but in supplying my impressions of the area and its resident population to park personnel. As a public responsibility and an expression of my own attitudes, I had long been involved in the Koochiching County Planning Commission. As chairman of that group, I led the effort to prevent unplanned and precipitous development along travel corridors leading to the park. Since travel routes involved lands in St. Louis County as well, we formed a small committee of the two planning bodies to assure coordination of zoning regulations and common goals. Those efforts were effective. Prior to my retirement in January of 1980, it was my privilege to work with the present Superintendent, Tom Ritter.

Testimony
Senate Subcommittee on Public Lands and Reserved Water
S.625, October 29, 1981
pg. 2

Initial rationale for including Neil Point in the park has not stood the test of time. Deletion of Neil Point and inclusion of 180 acres in Black Bay Narr ows makes good sense.

Having used the Kabetogama Ranger Station facilities intensively for Boise Cascade's recreational development program, I can fully appreciate the need for its inclusion in the park as an essential facility for park operations.

On one occasion having almost lost my life on the storm tossed waters of Lake Kabetogama, I can support the proposed controlled access providing a land based route to the park's facilities on Kabetogama. Not all visitors to the park will be willing or able to use water routes. While on the access problem, it would seem logical that a great deal more experience in use patterns and public needs are essential to preparation of a comprehensive plan for road access to the park. A one year time limit on making a study and preparing a report does not seem reasonable and this clause should be deleted.

As an attentive participant in literally hundreds of VNP meetings, including both House and Senate hearings, it was never my understaning that the historic uses of Black Bay would be denied the public. Northern Minnesota is still a place where the coffee pot bubbles on the back of the stove and where what one hears is what one expects to believe. The resident population there believes they have been misled on this issue.

It was also generally understood that land acquisition was to be complete and that it would move ahead in an orderly manner, subject only to the normal buyer-seller disagreements - but never due to a lack of funding.

Long association with the Minnesota State Department of Conservation has demonstrated their technical and philosophical ability to prepare and carry out programs compatable to both the park's interests and public needs.

Deletion of Black Bay and funding for acquisition will both help greatly to end existing controversy now interfering with orderly development of Voyageurs National Park.

* * * * * * * * *

FOREST RESOURCE CONSULTANT

Senator WALLOP. Your park is not alone in wondering why moneys for land acquisition and development were not forthcoming. But part of that has been an appetite for acquisition that was greater than even your spending habits of the 1960's and 1970's. There are other places, there is an enormous backlog in the country, we'll put some perspective and priority on those things, and everybody's park is the obvious priority. I don't quarrel with the fact that it doesn't help up here. It remains difficult. I don't know where the answer is.

If it was wand waving time I would wave the wand and we'd get it all done.

I want to thank everybody for their time and cooperation here. I would ask again if either Harriet Lykken or Vic Davis have come into the room?

[No response.]

Senator WALLOP. In their absence, again, I thank everyone for coming. The hearing is adjourned.

[Whereupon, at 11 a.m., the hearing was adjourned.]

APPENDIX

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

PROJECT ENVIRONMENT
A fulltime lobbyist
for the
Minnesota Environment
113 Uptown Place, 3255 Hennepin Avenue South, Minneapolis, MN 55408 (612)827-2581

October 28, 1981

The Honorable Malcolm Wallop
Chairman
Subcommittee on Public Lands and Reserved Water
3204 Dirkson Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Wallop:

Please find enclosed comments on S. 625 which I would like to have placed in the record of the hearing scheduled for Thursday, October 29, 1981. These comments reflect the position of the Sierra Club on this legislation which affects Minnesota's Voyageurs National Park.

We are unable to send a representative of the North Star Chapter of the Sierra Club to testify due to limitations in our budget. We would appreciate your acceptance of these comments and placement of them in the record.

Thank you for considering this request.

Sincerely,

Nelson T. French
Director
Project Environment/Sierra Club

COMMENTS ON BEHALF OF THE

NORTH STAR CHAPTER, SIERRA CLUB

These comments are being submitted on behalf of the North Star Chapter of the Sierra Club which consists of more than 4,500 members in Minnesota. The North Star Chapter is affiliated with the National Sierra Club, a national environmental organization, with a national membership of more than 250,000.

The North Star Chapter of the Sierra Club has long been involved in issues pertaining to the authorization, establishment and management of Voyageurs National Park. In the late 1960's the North Star Chapter formed its Voyageurs National Park Task Force (VNPTF) which worked with many other concerned Minnesota organizations for the passage of legislation in Congress authorizing establishment of Voyageurs National Park. The VNPTF later worked at the Minnesota State Legislature to gain passage of state legislation allowing for the establishment of the park. In 1977 the VNPTF was instrumental in forming the Voyageurs National Park Coalition, a coalition made up of several Minnesota environmental and conservation organizations.

We are pleased to have this opportunity to make known to you our position on the bill before you today, S. 625. Our specific comments are as follows.

The Sierra Club remains opposed to the language in paragraph E of the proposed legislation. This position is consistent with that taken by the Sierra Club in 1978 when the proposal to delete Black Bay form Voyageurs National Park first appeared before Congress. The Sierra Club does not favor any change whatsoever in the status

of the lands and waters of the east end of Black Bay cuurently within the boundary of Voyageurs National Park. The most pressing argument to be made against this proposal is the precedential nature of removing a significant acreage (approximately 1,000 acres) from the park due to local concerns about hunting in that portion of the park. The Sierra Club, as you know, has not adopted an anti-hunting policy and our reason for opposing the deletion is merely a reflection of our concern about making significant national park boundary changes for any local, special interest. It is our feeling that such action will serve to set a precedent which would jeopardize the integrity of national park boundaries throughout the system.

The Sierra Club supports the following provisions of S. 625. We support paragraph A which authorizes the deletion of 782 acres from the Neil Point area of Voyageurs National Park. This is not inconsistent with our statements above for several reasons. First, this area was initially acquired for construction of a visitor center on the west end of the park. This site is not contiguous with the main portion of the park or the Kabetogama Peninsula and therefore deletion will not encroach on the park. Second, this portion of the park has been privately developed whereas the Black Bay area is primarily undeveloped. In addition, this site was found to be unsuitable for a visitor center development and therefore no longer needs to be included within the park boundary.

The Sierra Club supports paragraph B which adds approximately 100 acres in the Black Bay Narrows area of the park. This site has been chosen for the visitor center which we support construction of.

The Sierra Club supports paragraph C which adds 18.45 acres

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of land owned by the State of Minnesota to the park.

The Sierra Club supports paragraph D which adds approximately 120 acres owned by the State of Minnesota to provide land access to a planned visitor center at Sullivan Bay.

The Sierra Club supports Sec. 401.(b) which authorizes the appropriation of $10,995,000 for land acquisition within Voyageurs National Park. We feel strongly that the National Park Service must continue its efforts to acquire all lands within Voyageurs National Park and therefore support the appropriation of these funds if authorized.

The Sierra Club appreciates the opportunity to have these comments placed in the record of this hearing. We look forward to working with the National Park Service on all phases of their program at Voyageurs National Park. Many of our members are making use of the park now and they feel it is indeed one of the treasures of the Northland.

VOYAGEURS National Park Ass'n

Suite 109
3255 Hennepin Ave.
Minneapolis, MN 55408
612/827-5361

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November 4, 1981

Mr. Tony Bevinetto
Professional Staff Member
Subcommittee on Public Lands
and Reserved Water
Room 3204
Dirksen Senate Office Building
Washington, DC 20510

Dear Mr. Bevinetto:

On behalf of Voyageurs National Park Ass'n, I am submitting this statement for VNPA in response to the hearing by the U. S. Senate Subcommittee on Public Lands & Reserved Water held on October 29, 1981.

I trust that this written statement by Voyageurs National Park Ass'n will be entered into the record.

Yours truly,

VOYAGEURS NATIONAL PARK ASS'N

Mary M. Kenny
Executive Director

MMK/lwb
encl - Statement by Harriet Lykken

Established in 1965 as an IRC 501 (c) (3) non-profit corporation to preserve, protect and develop the natural, recreational and historical values of Voyageurs National Park and Environs.

VOYAGEURS National Park Ass'n

Suite 109
3255 Hennepin Ave.
Minneapolis, MN 55408
612/827-5361

STATEMENT BY

HARRIET LYKKEN

ON BEHALF OF THE

VOYAGEURS NATIONAL PARK ASSOCIATION

BEFORE A HEARING

BY THE

U.S. SENATE SUBCOMMITTEE ON PUBLIC LANDS & RESERVED WATER

WASHINGTON, DC

SENATOR MALCOLM WALLOP (R WY) CHAIRMAN

OCTOBER 29, 1981

REGARDING

S.625

Senator Wallop, Members of the Committee:

My name is Harriet Lykken and I live at 4600 Emerson Avenue South in Minneapolis, MN.

I am here today to testify on S.625 on behalf of the Voyageurs National Park Association (VNPA). The VNPA is a voluntary citizens non-profit group of approximately 400 members that was organized in 1965 to preserve, protect and develop the natural, recreational and historical values of VNP and environs and to educate the public to the benefits of the Park.

The history of the National Park and VNPA is entertwined. In 1971 when the park was designated a national park by Congress, it was a culmination of thousands of citizens and organizations expressing their support and desire that a national park be established in Minnesota. The Park was established in 1975. The Park area totals 344 square miles and is the only southern boreal forest ecosystem in a National Park. The purpose of the Park is to protect and restore for appropriate public enjoyment the natural environment and biota that occurred along part of the French-Canadian fur trade route from the 1730's to the 1840's.

In regard to S.625 VNPA favors the following provisions:

We favor Paragraph A to delete 782 acres in the Neil Point area. (This area was originally acquired as a location for a visitor center for the western end of the Park which is no longer considered practical).

We favor Paragraph B which adds approximately 100 acres in the Black Bay Narrows area of the Park (for purposes of locating a visitor center for the western end of the Park).

We favor Paragraph C which adds 18.45 acres owned by the State of Minnesota at its Kabetogama Forestry Station (to be used for administrative facilities).

We favor Paragraph D which adds approximately 120 acres owned by the State of Minnesota (to provide land access to an interpretive/visitor center at Sullivan Bay/Kabetogama Narrows area, and

We favor the provision which authorizes an appropriation of $10,995,000, for land acquisition (and further we favor an immediate appropriation of such funds).

However, we OPPOSE Paragraph E which deletes 1,000 acres at Black Bay (for purposes of creating a recreational hunting area).

The eastern portion of Black Bay that is included in the Park boundary is a unique area of flourishing wildlife habitat and comprises 15-20% of the total Black Bay area. Hunting is allowed in the remaining 80-85% of the Bay. Black Bay is an excellent waterfowl observation area and supports populations of beaver, otter and muskrat. The entire Park has been designated as an area of "critical habitat" for the gray wolf and there is a pack of 6 or 7 wolves identified as the Black Bay pack. There is no evidence that anyone has examined the impact that this deletion would have on this resident wolf pack. The beaver in Black Bay provide a prey population for the wolves. Further, no one has examined the impact that hunting would have on the waterfowl in Black Bay.

Although this area of the Bay contains the only major rice pad in the Park, it is likely that if hunting is opened on the east end of Black Bay that the ducks may move inland.

VNPA is anxious to have VNP become a viable park and we believe that the deletion of Black Bay would set a dangerous precedent and would seriously detract from the values of the Park.

******

NATIONAL WILDLIFE FEDERATION
1412 Sixteenth Street, N.W., Washington, D.C. 20036 202—797-6800

1981 NOV 13 PM 3:59

November 12, 1981

The Honorable Malcolm Wallop
Chairman, Subcommittee on Public Lands
and Reserved Water
Senate Energy and Natural Resources Committee
3106 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Wallop:

On behalf of the National Wildlife Federation I appreciate the opportunity to submit a written statement, with attached documents, and respectfully request that they be made part of the permanent record of the Subcommittee's October 29 hearings on S. 625.

The National Wildlife Federation is the nation's largest, not-for-profit, citizen conservation-education organization with over 4 million members and supporters dedicated to the wise use and proper management of our natural resources.

The Federation, along with the Minnesota Conservation Federation, our state affiliate, has a long history of interest in Voyageurs National Park, and, more specifically, the Black Bay Area. The attached national resolution in support of the establishment of Voyageurs National Park was passed in 1968 at our 32nd Annual Convention. However, the Federation's endorsement of the Park was predicated on the belief that the Black Bay Area would not be included within the Park, and therefore would remain open to waterfowl hunting. The eastern end of Black Bay represents one of the few prime duck hunting areas for residents of Koochiching County. Without this area, local duck hunters must travel distances of seventy miles or more to reach comparable waterfowl hunting areas. The attached comments to Superintendent Tom Ritter detail the Federation's concern for the Black Bay Area.

The Federation joins with the Minnesota Conservation Federation in strongly supporting the provisions of S. 625, and in commending Senator Durenberger for working to find an equitable solution to this problem.

We urge expeditious passage of S. 625.

Sincerely,

Jay D. Hair

JAY D. HAIR
Executive Vice President

Attachments
cc Minnesota Conservation Federation
Wayne Baron, NWF Reg. Executive

NATIONAL WILDLIFE FEDERATION
32nd Annual Convention, Houston, Texas, March 8-10, 1968

Resolution No. 20

THE VOYAGEURS NATIONAL PARK

WHEREAS, the Kabetogema Peninsula and adjacent areas is an area of natural beauty, much of which is unspoiled, that is unexcelled in Minnesota or the surrounding states, and

WHEREAS, this area has a colorful history of the Voyageurs which should be preserved and maintained; and

WHEREAS, parts of this area display an example of the Laurentian shield, the rocky outcroppings typifying much of the northern lake country in the United States; and

WHEREAS, this area will provide numerous camping grounds, excellent hiking trails, fishing, and other recreational opportunities to people from all parts of the Nation;

NOW, THEREFORE, BE IT RESOLVED that the National Wildlife Federation, in annual convention assembled March 8, 1968, at Houston, Texas, hereby joins the Minnesota Conservation Federation in endorsing the establishment of the Voyageurs National Park, including the Kabetogema Peninsula, the firm belief it will be a valued and significant addition to the Nation's other public outdoor recreational assets.

March 6, 1980

Tom Ritter, Superintendent
Voyageurs National Park
P.O. Box 50
International Falls, MN 56649

Dear Mr. Ritter:

The National Wildlife Federation has reviewed the Final Environmental Statement and Master Plan for Voyageurs National Park. We are supportive of the fundamental concepts presented in the FMP and feel that these objectives, if successfully worked out, will provide its visitors with an inspiring outdoor recreation experience.

NWF is a nonprofit, nongovernmental organization which has independent affiliate organizations in all 50 states, Guam, Puerto Rico, and the Virgin Islands. These affiliates in turn, are made up of local groups and individuals who, when combined with associate members and other supporters of the Federation, number an estimated 4.1 million persons.

Although we are pleased with the overall intention of the Master Plan, we are concerned that the inclusion of the eastern end of Black Bay is inappropriate. The eastern portion of Black Bay represents one of the few prime duck hunting areas for the people of Koochiching County; without this area, local duck hunters must travel distances of seventy miles or more to reach comparable waterfowl hunting areas. While the total duck harvest in Koochiching County is very low, the average daily bag is the second highest in the State. Black Bay plays an important role in this statistic. The incorporation of this area into Voyageurs National Park will curtail these hunting practices and inevitably provoke ill feelings between the National Park Service and local sportsmen.

Keeping in mind both the integrity and the administrative requirements of the Park Service, we recommend that Black Bay be deleted from Voyageurs National Park boundaries. If this action is taken, we feel that hunter use conflicts would be minimal since duck hunting in Minnesota is open only about 5 weeks of the year and occurs at a time when visitor usage is low. This area is traditionally hunted by local sportsmen, and

the revocation of these privileges would be unjustified. Furthermore, if the current boundary designation remains in effect, Black Bay will present difficult administrative problems. Inevitable confusion will result on the part of the hunters as to huntable areas, and difficulties in marking the Park's boundaries in the water areas of the Bay will occur. Deleting this area from National Park Service jurisdiction would rectify this situation.

We have considered alternative boundaries and possible land trades as viable alternatives to the inclusion of Black Bay. As was previously suggested by the Minnesota Department of Natural Resources, we recommend a new boundary be designated to follow the 1108 contour line in Secs. 12 and 13 in Twp. 70 N. Range 22 W. and Secs. 7 and 18 in Twp. 70 N. Range 21 W. This would permit waterfowl hunting in the aquatic periphery of the lake while the upland habitat would remain Voyageurs National Park domain.

We are not alone in our opinion concerning the necessity of this land transfer. This action was supported by Senator Wendall Anderson while he was Governor of Minnesota, Governor Rudy Perpich, Assistant Secretary of the Interior Robert Herbst while he was Minnesota DNR Commissioner, by William Nye, another former Commissioner, and by Joseph Alexander, the present Commissioner. All recognize the importance of Black Bay as prime waterfowl habitat and urge the revision of Voyageurs' boundaries. This action would ultimately enhance relations between the State of Minnesota and the National Park Service.

As a fair exchange for the deletion of the 783 acres of land and water at Black Bay, NWF recommends that a land-trade occur between the National Park Service and the State of Minnesota. One consideration should be the property currently held by the state which connects the Ash River Trail to the Kabetogama Narrows Visitors Center. The incorporation of this property into the Park's boundaries would provide a needed access road. Another consideration for the trade could be the state ranger station on Kabetogama Lake.

If for some reason a land-trade is not possible, NWF suggests that the National Park Service explore the possibility of designating Black Bay as a National Park Preserve. This would alleviate local sportsmen tension by allowing hunting in a restricted area of the Park while maintaining it under the administrative jurisdiction of the National Park System. The legal precedent for a Park Preserve situation has already been established in National Parks such as Big Thicket and Big Cypress.

NWF recommends that the Department of Interior exercise its administrative authority under existing legislation in making the necessary boundary adjustment. If this is not possible, we then recommend that the Department support Congressional action that would eventually bring about this boundary change.

We hope that you will give our suggestions serious consideration and we look forward to the deletion of Black Bay from Voyageurs National Park.

Sincerely,

Michael E. Berger
Assistant Director for
Wildlife and Fisheries

MEB:ks

cc: C. Griffith, NWF
James Dunning, NPS
Robert Herbst, DOI
Burnett Dahl, NWF
Leonard Hockert, MCF
Wayne Baron, NWF

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Telegram

SENATE COMMITTEE/ENERGY & NATRL RESOURCES SUBCOM/PUBLIC LANDS
RESRVD WATER RIGHTS RPT DLY MGM, DLR, DLR
RM 3104 DIRKSEN OFC BLDG
WASHINGTON DC 20515

DEAR CHAIRMAN MELCOM WALLOP;
THE MINNESOTA CONSERVATION FEDERATION SUPPORTS AND ENDORSES SENATE
S.625 DEALING WITH VOYAGERS NATIONAL PARK.
KEN NIEMENZ, PRESIDENT OF THE MINNESOTA CONSERVATION FEDERATION
1034 S CLEVELAND AVE
ST PAUL MN 55116

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